

# Endnotes

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- <sup>412</sup> David Hoffmann, “Russia Says N. Korea Offers to End Missile Program,” *The Washington Post*, July 20, 2000, p. A16.
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- <sup>414</sup> State Department Press Release, “Joint Statement,” July 21, 2000. July 25, 2000 <[http://www.state.gov/www/issues/economic/summit/000721\\_jstat\\_us\\_russia.html](http://www.state.gov/www/issues/economic/summit/000721_jstat_us_russia.html)>.
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# Glossary

<b>ABL</b>	Airborne Laser
<b>ABM Treaty</b>	Anti-Ballistic Missile Treaty of 1972
<b>ACDA</b>	Arms Control and Disarmament Agency
<b>BMD</b>	Ballistic Missile Defense
<b>BMDO</b>	Ballistic Missile Defense Organization
<b>BUR</b>	Bottom-Up Review
<b>CBM</b>	Confidence-Building Measures
<b>CFE Treaty</b>	Conventional Forces in Europe Treaty
<b>CGDI</b>	Russian-American Consultation Group on Defense Issues
<b>CIA</b>	Central Intelligence Agency
<b>CINCSPACE</b>	Commander in Chief, U.S. Space Command
<b>CNO</b>	Chief of Naval Operations
<b>DCI</b>	Director of Central Intelligence
<b>DoD</b>	Department of Defense
<b>DPRK</b>	Democratic People's Republic of Korea
<b>DRR</b>	Deployment Readiness Review
<b>DSP</b>	Defense Support Program
<b>EKV</b>	Exoatmospheric Kill Vehicle
<b>FY</b>	Fiscal Year
<b>FYDP</b>	Future Years Defense Program
<b>GAO</b>	General Accounting Office

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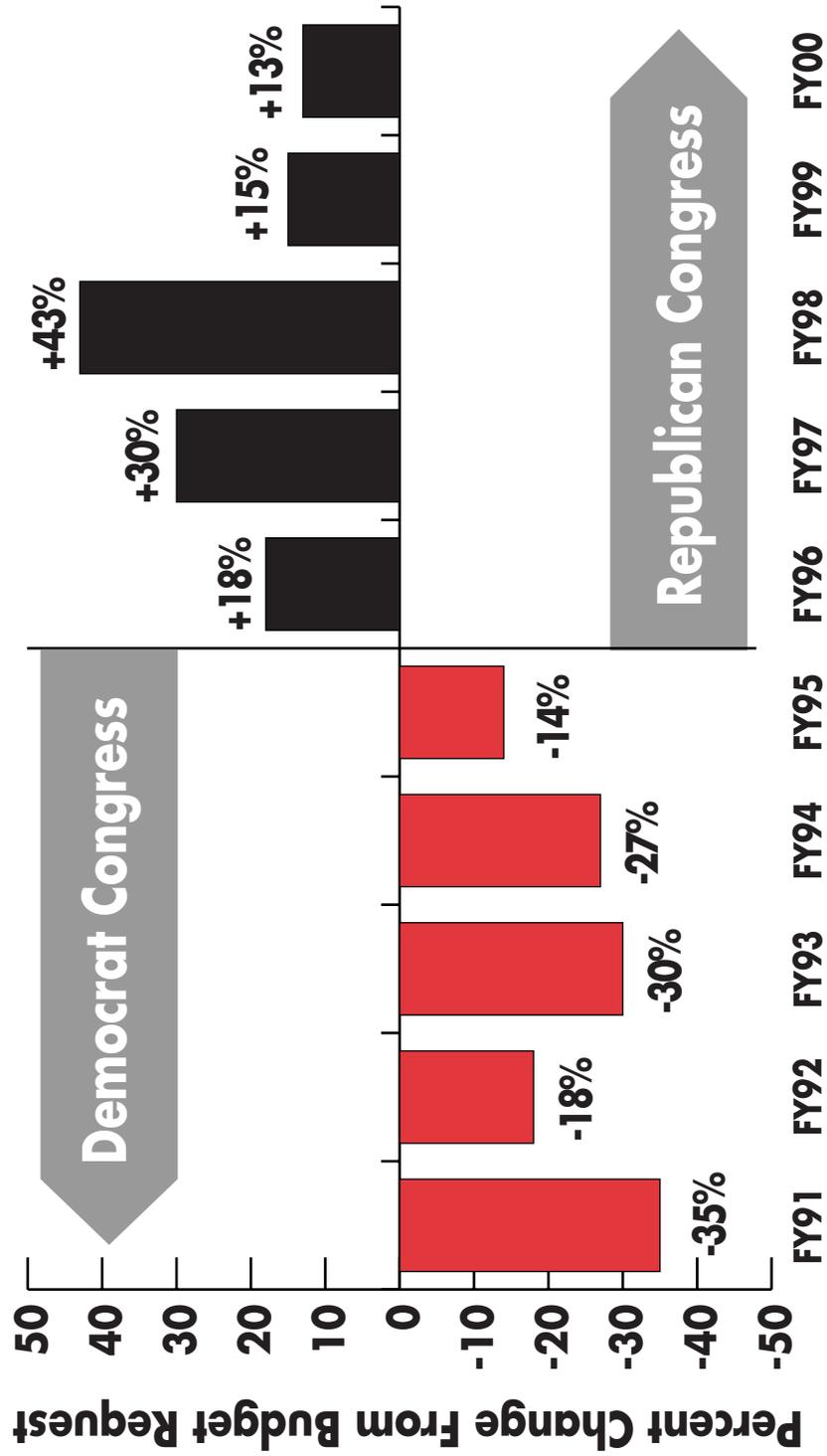
<b>GBI</b>	Ground-Based Interceptor
<b>GPALS</b>	Global Protection Against Limited Strikes
<b>GPS</b>	Global Protection System
<b>HOE</b>	Homing Overlay Experiment
<b>H.R.</b>	House Resolution
<b>ICBM</b>	Intercontinental Ballistic Missile
<b>IFT</b>	Integrated Flight Test
<b>INF Treaty</b>	Intermediate-range Nuclear Forces Treaty
<b>JCS</b>	Joint Chiefs of Staff
<b>MAD</b>	Mutual Assured Destruction
<b>MAS</b>	Mutual Assured Safety
<b>MRBM</b>	Medium-Range Ballistic Missile
<b>MOU</b>	Memorandum of Understanding
<b>MTCR</b>	Missile Technology Control Regime
<b>NATO</b>	North Atlantic Treaty Organization
<b>NDAA</b>	National Defense Authorization Act
<b>NIC</b>	National Intelligence Council
<b>NIE</b>	National Intelligence Estimate
<b>NIS</b>	Newly Independent States
<b>NMD</b>	National Missile Defense
<b>NSC</b>	National Security Council
<b>NTW</b>	Navy Theater Wide
<b>OSD</b>	Office of the Secretary of Defense

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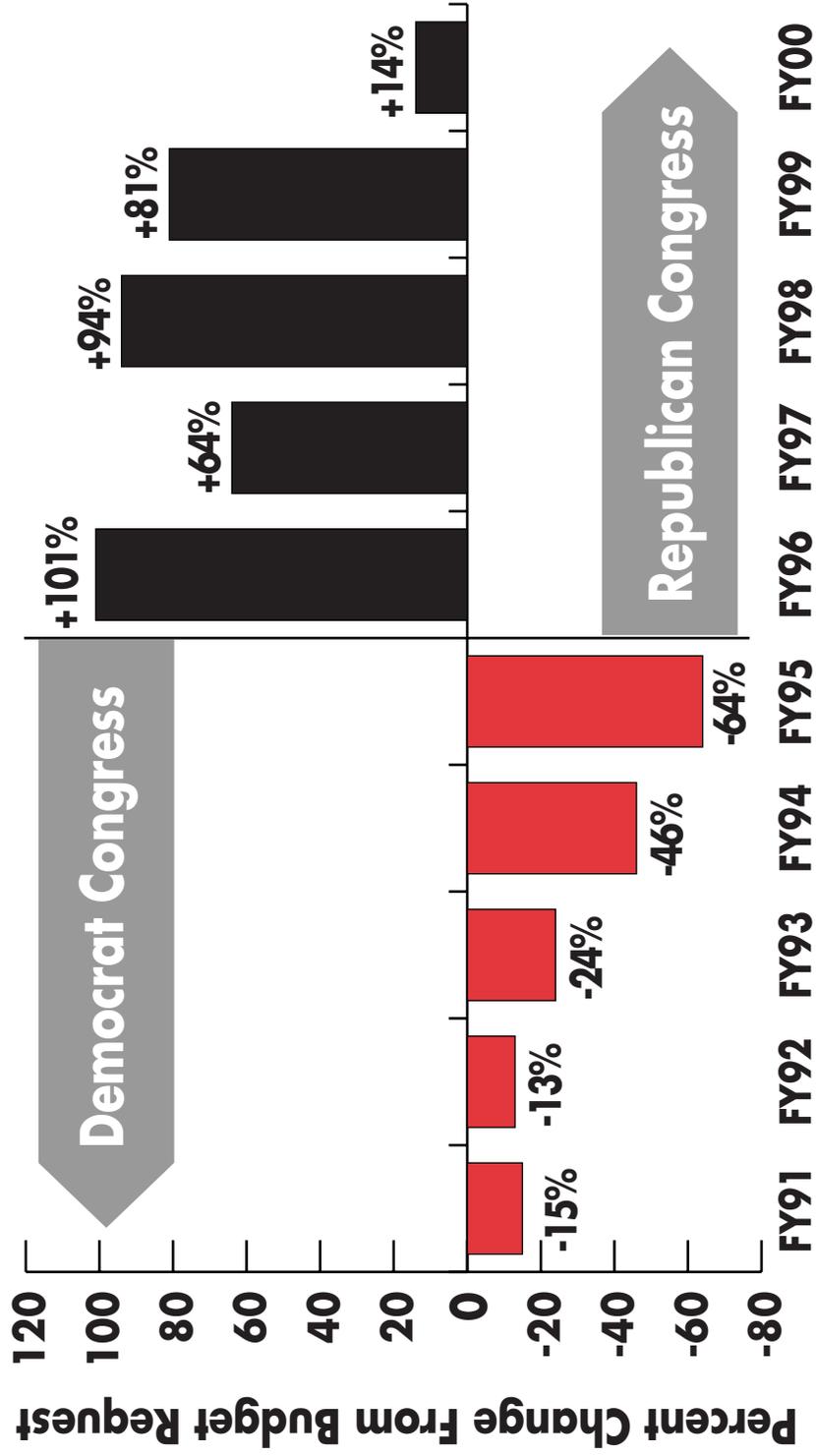
<b>PAC</b>	Patriot Advanced Capability
<b>PBD</b>	Program Budget Decision
<b>PDD</b>	Presidential Decision Directive
<b>P.L.</b>	Public Law
<b>QDR</b>	Quadrennial Defense Review
<b>SBIRS</b>	Space-Based Infrared System
<b>SCC</b>	Standing Consultative Commission
<b>SDI</b>	Strategic Defense Initiative
<b>SDIO</b>	Strategic Defense Initiative Organization
<b>SLV</b>	Space Launch Vehicle
<b>SMTS</b>	Space and Missile Tracking System
<b>START</b>	Strategic Arms Reduction Treaty
<b>TD-2</b>	Taepo Dong-2
<b>THAAD</b>	Theater High Altitude Area Defense
<b>TMD</b>	Theater Missile Defense
<b>U.N.</b>	United Nations
<b>USSR</b>	Union of Soviet Socialist Republics
<b>WMD</b>	Weapons of Mass Destruction

# Appendix A

## Congressional Action on Ballistic Missile Defense Funding Requests

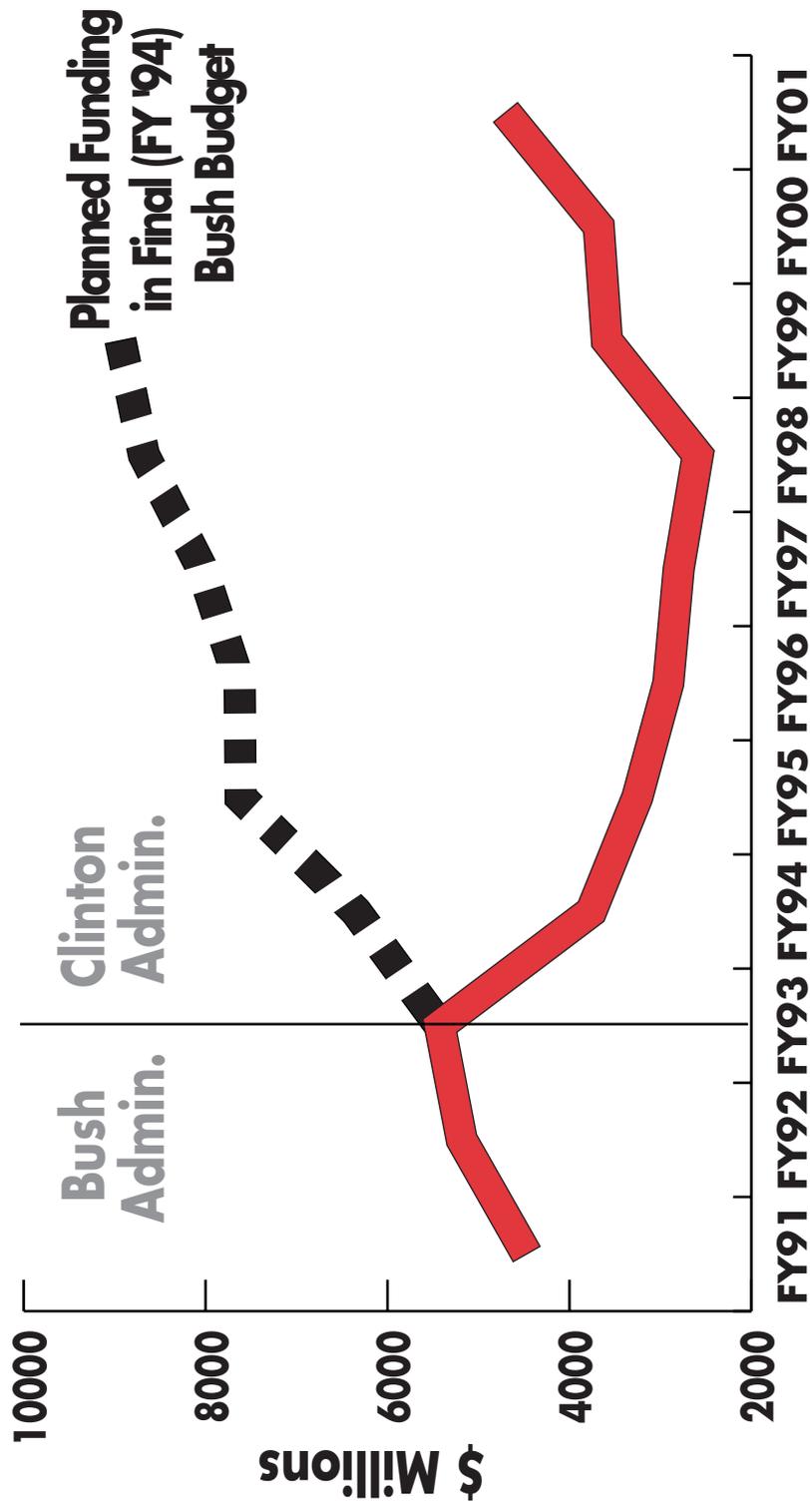


# Congressional Action on National Missile Defense Funding Requests



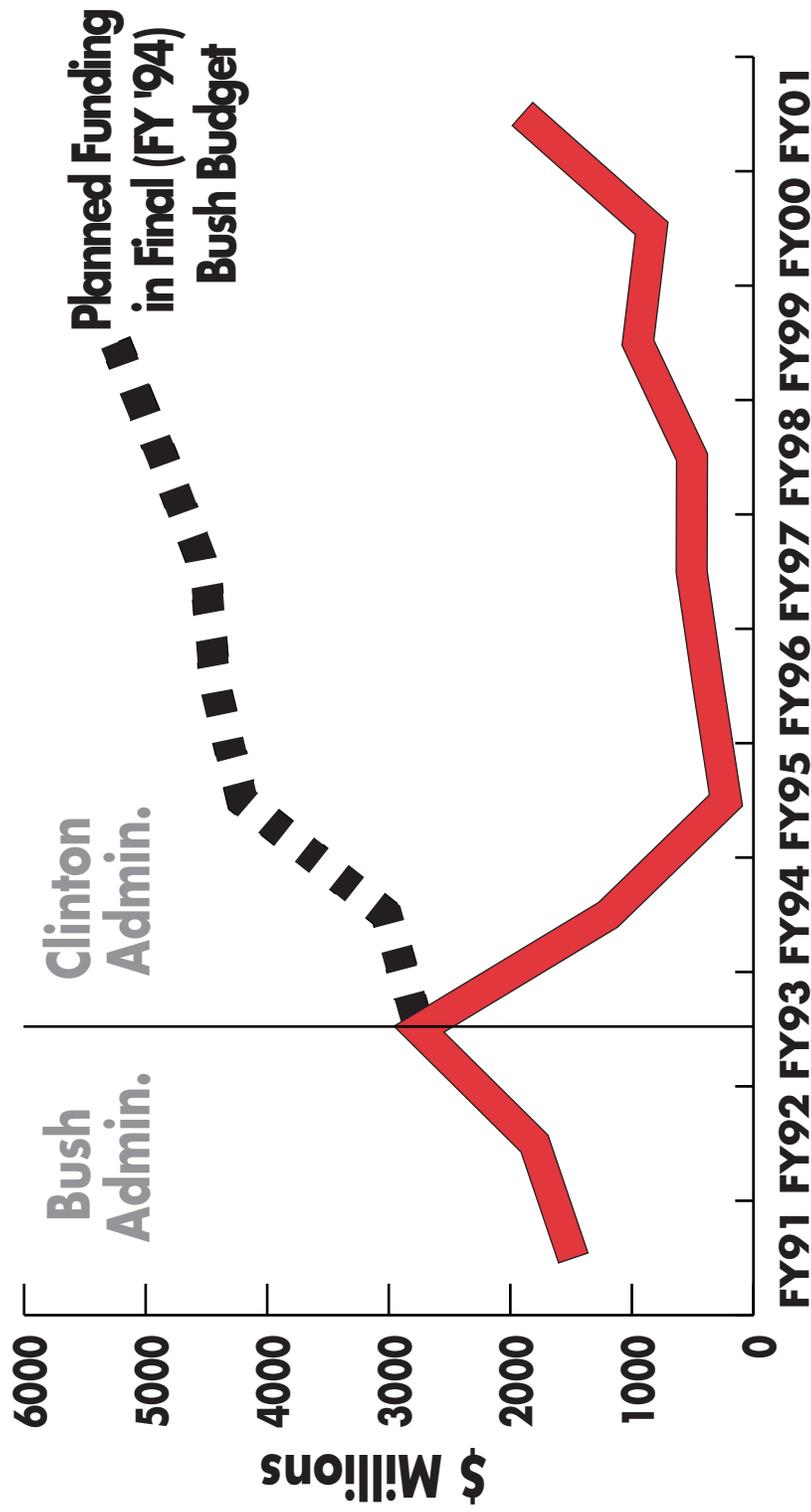
# Administration Budget Requests

## Ballistic Missile Defense



# Administration Budget Requests

## National Missile Defense



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# Appendix B

## Russian Statements on National Missile Defense and the ABM Treaty

“The U.S. is putting into practice the deployment of the nation-wide ABM system. This is dangerous and can destroy the basis of strategic stability and the whole disarmament process.”

- *Foreign Minister Igor Ivanov, June 22, 1999<sup>1</sup>*

\* \* \* \*

“If the ABM treaty is repudiated, irretrievable damage will be done to the process of reducing the number of strategic offensive weapons.”

“[The ABM treaty] must be preserved and its provisions fulfilled precisely.”

- *Defense Minister Igor Sergeyev, July 9, 1999<sup>2</sup>*

\* \* \* \*

“[Russia sees] no reasons, or practical needs, or possibilities for changing any key aspects and restrictions of the ABM Treaty.”

“There is no nationwide ABM system that would not infringe upon our interests.”

“The USA’s development of a national antimissile defense will force Russia to withdraw from the START II Treaty.”

- *Grigory Berdennikov, Director of the Security and Disarmament Department of the Ministry of Foreign Affairs, August 19, 1999<sup>3</sup>*

\* \* \* \*

“There are no results whatsoever.”

“First a decision is taken, the work is financed and companies receive orders for research and development. All this is being done in violation of accords under the 1972 ABM Treaty. Only then is Russia presented with a fait accompli, as if to say, let’s come to an agreement.”

- *Colonel-General Leonid Ivashov, Director of the International Military Cooperation Department of the Ministry of Defense, August 19, 1999<sup>4</sup>*

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“[Washington] in essence, is putting obstacles in the way of our ratifying the START II Treaty by violating the Anti-Ballistic Missile Treaty of 1972.”

“The argument that the [U.S.] continental ABM system would be created to counter possible acts of terrorism from third-world countries that possess nuclear weapons does not stand up to criticism.”

“If the U.S. decides to set up a continental ABM system, we, despite all talks, should work on the creation of new striking means-missiles with multiple warheads, that is, a new kind of weapon that will be a weapon of nuclear deterrence.”

- *Roman Popkovich, State Duma Defense Committee Chairman, August 23, 1999<sup>5</sup>*

\* \* \* \*

“We believe that the ABM Treaty is the basis for strategic stability, and any attempts to revise the treaty endanger this stability.”

- *Foreign Minister Igor Ivanov, August 25, 1999<sup>6</sup>*

\* \* \* \*

“Russia’s agenda includes the rapid ratification of the START III Treaty. This is possible if the sides strictly comply with existing agreements, notably the ABM Treaty.”

- *Foreign Minister Igor Ivanov, September 3, 1999<sup>7</sup>*

\* \* \* \*

“It [the U.S.] has practically abandoned this treaty. I think that we will receive an official declaration about that soon. In its place, a continental ABM system will be created.”

- *Roman Popkovich, State Duma Defense Committee Chairman, September 8, 1999<sup>8</sup>*

\* \* \* \*

“The creation of the U.S. national ABM system will not only hamper the process of consultations on the START III Treaty parameters but will force Russia to withdraw from the START II Treaty signed earlier.”

- *Grigory Berdennikov, Director of the Security and Disarmament Department of the Ministry of Foreign Affairs, September 9, 1999<sup>9</sup>*

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“[The American position is] that the U.S. could create a limited anti-missile defense with the alleged consent of Russia.”

“[This is] categorically opposed both by Russia’s Defense Ministry and Foreign Ministry.”

“The ABM Treaty forbids creating even the fundamentals of an antimissile defense of the country’s territory.”

“[T]here are no objective arguments to justify the need for a national anti-missile defense.”

“[Russia’s position] will remain unchanged, for modification of any articles of the existing treaty will inevitably upset the established balance of forces and lead to reciprocal steps to maintain parity.”

- *Admiral Valentin Kuznetsov, Director of the International Treaty Department of the Ministry of Defense, September 9, 1999<sup>10</sup>*

\* \* \* \*

“Needless to say, this process [START III] is possible only where there is strict compliance with existing agreements in this sphere, above all the ABM Treaty. We believe that the General Assembly should express itself definitively in favor of keeping and observing the ABM Treaty, which is the cornerstone of strategic stability. After all, unilateral steps to undermine the time-tested rules established by this Treaty are fraught with the most dangerous consequences.”

- *Foreign Minister Igor Ivanov, September 21, 1999<sup>11</sup>*

\* \* \* \*

“Do you want to start the arms race again?”

- *Victor Chernomyrdin, former prime minister, October 6, 1999<sup>12</sup>*

\* \* \* \*

“As for the specific Russian position regarding that key international document, the 1972 ABM Treaty, I would like to stress that Russia is not engaged in any bargaining over this treaty. Our position remains unchanged and is as follows. In accordance with the Cologne agreements Russia is conducting consultations based on one premise of principle, namely, achievement of further cuts in the strategic offensive weapons within START-3 is only possible on the condition that the ABM Treaty remains inviolable. We are not conducting any negotiations on any amendments to the ABM Treaty, especially amendments that would alter its key provision banning any deployment of national ABM defenses or creating any basis for such defenses.”

- *Vladimir Rakhmanin, Spokesman for the Ministry of Foreign Affairs, October 20, 1999<sup>13</sup>*

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“We and our co-authors only are seeking the General Assembly to confirm the importance of preserving and strengthening the ABM treaty by meticulous observance of it in a full scope.”

“[I]t would be a big error [to see the treaty issue as a] sheerly bilateral affair.”

- *Ambassador to the United Nations Anatoly Antonov, October 22, 1999<sup>14</sup>*

\* \* \* \*

“Our arsenal has such technical capabilities [to] overcome [any antimissile defenses]. This technology can realistically be used and will be used if the United States pushes us toward it.”

“If the United States violates the 1972 ABM Treaty and decides to create a national antimissile defense system, Russia can unequivocally defend itself by improving its weaponry and delivering nuclear ammunition to a particular active facility.”

“The possibility of increasing the efficiency of [nuclear weapons] delivery systems largely exceeds the possibility of improving the countering capabilities of anti-missile systems.”

- *First Deputy Defense Minister Nikolai Mikhailov, October 25, 1999<sup>15</sup>*

\* \* \* \*

“Undermining of the [ABM] Treaty – and this will be the inevitable consequence if the U.S. deploys a national system of anti-missile defense in its territory – will effectively curtail the whole process of nuclear disarmament, put into question the agreements in the field of strategic offensive efforts and spur the nuclear-missile race. The dramatic consequences of that step, if it is made, I think, are obvious both for international stability and the security of each individual state.”

- *Foreign Minister Igor Ivanov, October 27, 1999<sup>16</sup>*

\* \* \* \*

“[T]here is no and cannot be any bargaining with the Americans over the Anti-Ballistic Missile Defense (ABM).”

- *Foreign Minister Igor Ivanov, October 28, 1999<sup>17</sup>*

\* \* \* \*

“We are not bargaining with Americans and never will.”

- *Foreign Minister Igor Ivanov, October 28, 1999<sup>18</sup>*

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“If the United States withdraws from the ABM Treaty and reanimates a Star Wars program, at a certain stage it will feel invulnerable and may start dictating its terms to Russia and China.”

- *Foreign Minister Igor Ivanov, November 1, 1999<sup>19</sup>*

\* \* \* \*

“There are occasional reports that Russia intends to haggle with the United States over the ABM Treaty. I categorically refute this. We have made such statements already on various levels. We are not bargaining over the ABM Treaty.”

- *Vladimir Rakhmanin, Spokesman for the Ministry of Foreign Affairs, November 2, 1999<sup>20</sup>*

\* \* \* \*

“Why has a delegation arrived here? Russia is not holding any talks with the United States about its withdrawal from the ABM Treaty.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, December 22, 1999<sup>21</sup>*

\* \* \* \*

“Russia will adhere firmly to its policy aimed at maintaining the ABM Treaty unaltered.”

- *Acting President Vladimir Putin, February 3, 2000<sup>22</sup>*

\* \* \* \*

“We will not accept changes to this [ABM] Treaty because they [USA] insist on discarding its core while leaving the wrapping or the articles that are only auxiliary.”

- *Colonel-General Leonid Ivashov Director of the International Cooperation Department of the Ministry of Defense, February 8, 2000<sup>23</sup>*

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“[T]he preservation of the ABM Treaty in its present form is a mandatory condition for the continuation of strategic arms limitation.”

- *Foreign Minister Igor Ivanov, February 8, 2000<sup>24</sup>*

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“The threats to justify the missile defense system have largely been invented.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, February 11, 2000*<sup>25</sup>

\* \* \* \*

“When anti-ballistic missile experts gather, I feel sorry for the Americans. They cannot put forward any serious arguments.”

“To say such an expensive system is being developed to intercept Iranian or Iraqi missiles heading north and to intercept possibly one or two North Korean missiles – it’s an argument for the naïve or stupid.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, February 15, 2000*<sup>26</sup>

\* \* \* \*

“If we are talking about slightly modifying the ABM Treaty and establishing a national missile defense system, those two things cannot exist together.”

- *Foreign Minister Igor Ivanov, February 19, 2000*<sup>27</sup>

\* \* \* \*

“We are not going to withdraw from anything. But if the United States withdraws from the ABM Treaty, we will automatically withdraw from START-II and START-I.”

- *Security Council Secretary Sergei Ivanov, February 25, 2000*<sup>28</sup>

\* \* \* \*

“We are not going to participate in destruction of this stability, which can occur just as a result of the violation of the ABM Treaty.”

- *Security Council Secretary Sergei Ivanov, March 14, 2000*<sup>29</sup>

\* \* \* \*

“Creation of a national ABM system by our partners will lead to the complete scrapping of processes associated with limiting and reducing armed forces and arms. This could mean abandonment of negotiations on a nuclear test ban, on nonproliferation of nuclear weapons, and on the regime of international control over proliferation of arms, and perhaps even abandonment of the conventions prohibiting chemical, biological, and toxic weapons.”

- *Security Council Secretary Sergei Ivanov, March 16, 2000*<sup>30</sup>

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“All the attempts by the USA to alter the ABM on plausible pretexts are unacceptable for Russia.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, March 21, 2000*<sup>31</sup>

\* \* \* \*

“Our position remains unaltered – we advocate the sides’ unconditional observance of the ABM Treaty.”

“American antimissile defenses has an anti-Russian and anti-Chinese orientation.”

- *Defense Minister Igor Sergeyev, March 28, 2000*<sup>32</sup>

\* \* \* \*

“The position of our government is that [the] ABM Treaty is one of the pillars of world strategic security and disarmament process and it just can not be shaken.”

- *Yevgeny Afanasiev, Ambassador to South Korea, March 30, 2000*<sup>33</sup>

\* \* \* \*

“It is evident that if the USA unilaterally violates the ABM Treaty of 1972, which forms the basis for all agreements in the field of strategic arms making up a most complicated mechanism created through the decades-long joint efforts, the whole mechanism will be under a threat of being wrecked, and the responsibility for the consequences will fully stay with the USA.

“What are the consequences? Unfortunately, the most grave ones. First of all, the strategic balance will get shattered. If the strategic balance is shattered, each country will settle the issues connected with ensuring its national security on its own and in its own way, which is equal to a step towards a new arms race. Of course, neither Russia nor other countries will stay indifferent to, say, the USA taking unilateral measures prejudicing the national security interests of the Russian Federation.”

- *Foreign Minister Igor Ivanov, April 11, 2000*<sup>34</sup>

\* \* \* \*

“If the State Duma ratifies Friday START II and the New York agreement of 1997, we will make a step in the right direction by offering the world a tool to isolate ‘rogue states’ without resorting to strategic defensive systems.”

- *Security Council Secretary Sergei Ivanov, April 11, 2000*<sup>35</sup>

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“The [START II] Treaty should come into force only on condition that the United States will give up its plan to create a national anti-ballistic missile system, and the 1972 ABM Treaty will remain valid.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, April 13, 2000*<sup>36</sup>

\* \* \* \*

“In the recent time, large attention is given in the world to the problem of the spread of missiles and missile technologies; a so-called growing missile threat is spoken of, the need for taking emergency measures for protection from it. In the United States, the idea of creating a national anti-missile defense system has been put forward as such a measure, which comes in contradiction with the ABM Treaty of 1972.

“We stand for taking measures jointly with other states for counter-acting the spread of missiles and missile technologies. This should be done, however, from our point of view, not by way of breaking the existing agreements in the disarmament field, primarily of the ABM Treaty. We stand for a different way – a way of consolidating the existing non-proliferation regimes and working out new arms reduction treaties. Ratification of the START II Treaty by Russia is its concrete contribution to these efforts.”

- *President Vladimir Putin, April 14, 2000*<sup>37</sup>

\* \* \* \*

“If after our ratification of the START II Treaty as a package with these agreements the United States violates the 1972 ABM Treaty, and this is a point I would like to emphasize and draw your attention here – we met with the faction leaders just recently in the Kremlin, as you know, and some quite good, and not merely quite good but totally specific proposals and comments about the problem we are discussing today were voiced – I want to emphasize that in this case we have the possibility and we will withdraw not only from the START II Treaty but from the entire system of treaty-based relations concerning the limitation and control of strategic and conventional arms. We may also raise the question of reviewing our decisions in the sphere of tactical arms. And in these conditions we will proceed to the implementation by Russia of an independent policy in the sphere of nuclear deterrence. I want to particularly emphasize that this is a decision on ratification, not some kind of unilateral disarmament.”

- *President Vladimir Putin, April 14, 2000*<sup>38</sup>

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“The ratification of START II is tightly linked to the impossibility of national ABM system deployment. And if it is created – this is what our law says – Russia will consider itself free of this and other obligations concerning arms limitation and control.”

- *President Vladimir Putin, April 17, 2000*<sup>39</sup>

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“The Law on Ratification of START II stipulates that all these agreements can be implemented only given strict observance of the 1972 ABM Treaty by the sides concerned. Therefore, we are still disturbed by the plans to build up a national anti-missile defense system that are being currently discussed in the United States. Such a system would be a violation of the 1972 ABM Treaty and it would jeopardize all our agreements on the reduction of strategic offensive weapons.”

- *Foreign Minister Igor Ivanov, April 18, 2000*<sup>40</sup>

\* \* \* \*

“As for the protection from ballistic missiles as such, we propose to create a global system to monitor the non-proliferation of missiles and missile technologies which should solve the problem of “anti-missile” security not just for one country, but for the whole world.”

- *Foreign Minister Igor Ivanov, April 20, 2000*<sup>41</sup>

\* \* \* \*

“If the United States were to [leave the ABM Treaty], then naturally a very serious, one might say an irreparable, blow would be dealt at the entire system of strategic stability, including the nonproliferation regime. The entire structure in the field of disarmament that has been created over the last 30 years, which envelopes not only offensive strategic weapons, but also medium and short-range missiles, conventional weapons and so forth, would be undermined. That is, this is an extremely complicated structure, and with a single step like that, it can be totally destroyed and irreparable damage done to international stability.”

- *Foreign Minister Igor Ivanov, April 24, 2000*<sup>42</sup>

\* \* \* \*

“One has to be fully aware of the fact that the prevailing system of arms control agreements is a complex and quite fragile structure. Once one of its key elements has been weakened, the entire system is destabilized. And in the context of globalization the interdependence of these elements has drastically increased. The collapse of the ABM Treaty would, therefore, undermine the entirety of disarmament agreements concluded over the last 30 years. The threat of the erosion of the non-proliferation regimes related to nuclear and other weapons of mass destruction and their delivery means would, therefore, grow.

“That is why the compliance with the ABM Treaty in its present form without any modifications is a prerequisite for further negotiations on nuclear disarmament in accordance with Article VI of the Non-Proliferation Treaty. That is why it affects national security interests of every state and of the international community as a whole.”

- *Foreign Minister Igor Ivanov, April 25, 2000*<sup>43</sup>

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“Certain circles in the USA are now actively lobbying for, or promoting, their plans for the development of a national ABM system. There are probably a lot of reasons for this, and we are inclined to think that these reasons are not linked to real threats which various countries may present to the USA, which they [those in favor of a new ABM system] mention, but rather that this is linked to the interests of the military-industrial complex and some others.”

- *Foreign Minister Igor Ivanov, April 28, 2000<sup>44</sup>*

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“To assume that the United States has already decided to deploy a national missile defense system is to give up in advance. Even if there is just one chance in 100, it must be exploited.”

- *Foreign Minister Igor Ivanov, April 29, 2000<sup>45</sup>*

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“These proposals are not constructive and cannot be a subject of further consultations. The U.S. has indeed made an attempt to involve us in talks on the ABM problem by producing their proposals. However, Russia does not view these proposals as a basis for consultations, as they may ruin the ABM Treaty.”

- *Colonel-General Leonid Ivashov, Director of the International Cooperation Department of the Ministry of Defense, May 4, 2000<sup>46</sup>*

\* \* \* \*

“The ABM Treaty is the foundation of the entire system of [arms limitation] agreements and it is impermissible to change it.”

- *Colonel-General Vladimir Yakovlev, Commander-in-Chief of the Strategic Rocket Forces, May 6, 2000<sup>47</sup>*

\* \* \* \*

“Russia will do everything possible to ensure that the basic documents formulated long ago, including the ABM Treaty, are not undermined.”

- *President Vladimir Putin, May 15, 2000<sup>48</sup>*

\* \* \* \*

“We believe that this danger [of rogue ICBMs] is exceptionally virtual, not serious.”

- *Dmitry Rogozin, State Duma International Committee Chairman, May 18, 2000<sup>49</sup>*

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“We are negotiating with the Americans with a view to removing this issue from the agenda rather than to amending the treaty.”

“Even though our assessment of the situation is at variance with the American one, we are prepared to discuss and work out a joint plan to offset or neutralize these hypothetical threats by building a non-strategic ABM [theater missile defense] system. We are prepared to cooperate along these lines.”

- *Colonel-General Valery Manilov, First Deputy of the General Staff, May 26, 2000*<sup>50</sup>

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“We believe that even the modernization of the treaty will lead to a very dangerous and hardly predictable tendency of violating strategic stability.”

- *Security Council Secretary Sergei Ivanov, May 29, 2000*<sup>51</sup>

\* \* \* \*

“The steps which objectively result in undermining strategic stability in the world should be regarded as the projection of unipolar philosophy. This concerns, first and foremost, the U.S. plans to create a national anti-missile defense system in violation of the ABM Treaty, which has been the basis of the modern system of arms control and disarmament agreements since 1972, when it was signed.”

- *Foreign Minister Igor Ivanov, June 7, 2000*<sup>52</sup>

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“[I repeat] Russia’s categorical objection to the U.S. plans for deploying a national anti-ballistic missile defense and adjusting the ABM Treaty of 1972.”

- *Foreign Minister Igor Ivanov, June 9, 2000*<sup>53</sup>

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“The proposal of the Russian president, Mr. Vladimir Putin, is a possible joint development of a theater defense of Europe and Russia that does not violate in any way, does not compromise in any way an ABM Treaty.”

- *Defense Minister Igor Sergeyev, June 9, 2000*<sup>54</sup>

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“[START II] is hostage to U.S. plans for deploying a national missile defense system.”

- *Defense Minister Igor Sergeyev, June 9, 2000*<sup>55</sup>

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“Based on an expert analysis of the real situation, we are now convinced that the missile threat from so-called ‘problem countries’ in the Middle East or the Asia region, to which the United States refers, does fundamentally not exist, neither today, nor in the foreseeable future.

“We think that the changes in the ABM Treaty, which the American side proposed to us, do not constitute a revision of the treaty but actually ‘undermine’ and, eventually, liquidate it. I repeat that America’s position on NMD is a serious strategic miscalculation with the effect that the strategic threat, both to the United States and Russia and other nations, will drastically increase. In essence, the American initiative is nothing but a proposal ‘to burn down the house to make some scrambled eggs.’”

- *President Vladimir Putin, June 11, 2000*<sup>56</sup>

\* \* \* \*

“Modernization of the ABM Treaty is impossible without destroying it.”

- *Defense Minister Igor Sergeyev, June 13, 2000*<sup>57</sup>

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“The ABM Treaty... has withstood the test of time and has demonstrated in practice its vitality and fundamental significance. It is universally acknowledged that the ABM Treaty is the cornerstone of strategic stability.

“But now a new threat hangs over us. As you know, in June 1999 a law was adopted in the United States that elevated to the status of state policy the course of deploying a national missile defense system. It is planned that the U.S. President will adopt a decision on this question this year. If this happens the ABM Treaty will become pointless, since the very essence of that document lies in the prohibition of the deployment of a national ABM system or the development of the basis for such a system. At the same time the entire system of international agreements in the sphere of arms control will lose its foundation. Given the interconnection that exists between START and ABM, a retreat toward the relations that characterized the Cold War times will inevitably begin.

“The argument that the U.S. NMD system will be ‘limited’ in nature and therefore represents no danger to the Russian strategic deterrent forces does not convince us.

“If the U.S. anti-missile defense system is deployed in even one region, but its potential enables it to protect the territory of the United States, then its development will also violate the ABM Treaty. The treaty bans the deployment of a system for the defense of a country’s territory and does not predetermine how this is to be ensured – by means of one, two, or more regions where ABM systems are deployed.

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“As for the question of making amendments to the ABM Treaty when there is a change in the strategic situation, which is mentioned in the statement and interpreted by some commentators supposedly as Russia’s consent to modifying the ABM Treaty, I wish to explain that its Article 13 does provide for such a possibility. Earlier this provision was implemented when the USSR and the United States agreed, within the framework of the treaty, to be satisfied with a single ABM basing area for each side. Our position remains as before: Any change in the strategic situation must not result in the very essence of this very important document being undermined and can be aimed only at strengthening the ABM Treaty regime.”

- *Defense Minister Igor Sergeyev, June 22, 2000*<sup>58</sup>

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# Appendix C



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

IN REPLY REFER TO

18 February 2000

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subj: POTENTIAL NAVY CONTRIBUTIONS TO NATIONAL MISSILE DEFENSE

1. Navy, together with BMDO, is making substantial progress toward deployment of Theater Ballistic Missile Defense (TBMD) capabilities at sea. In the next 18-24 months, live fire testing will confirm the ability of our AEGIS ships to provide a readily deployable TBMD capability for our nation. We are excited at the prospect of this new capability becoming a reality.

2. In the coming months, key decisions will also be made regarding the nation's commitment to National Missile Defense (NMD). The purpose of this memorandum is to suggest that Navy ships should provide a significant portion of our nation's strategic defense, and to recommend that Navy be included in both the policy and architectural frameworks of a NMD system. Such inclusion would be complementary to, not replacement for, ongoing NMD initiatives.

3. Three different studies concerning Naval NMD have been completed over the past two years: a NMD JPO-led Independent Assessment Panel, the DOD (BMDO) Report to Congress of May 1998 on the "Utility of Sea-Based Assets to NMD," and our own Navy assessment. In each case, the conclusions included the following:

- Naval forces could enhance NMD operational and technical effectiveness.
- Land and sea based NMD is superior to land only.
- Navy capability would protect against sea-based NMD threats.

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Navy and BMDO are currently responding to Congress with another report due 15 March 2000, which includes initial findings from an ongoing Concept Definition Study on Naval NMD.

4. For years we have focused our NMD policy on a single land based site. Recently, however, the Department of Defense has begun to consider broader NMD concepts including different sites and more robust capabilities. If NMD postures beyond the original single land based site are under active consideration, then policy alternatives which include providing a portion of our defense from ships at sea should also be carefully considered.

5. Clearly, much work remains before any NMD system is fielded. However, decisions taken in the coming months are likely to have a profound, and possibly irreversible, impact on the course taken in fielding a NMD system. For that reason, I most strongly recommend that a sea-based Navy Adjunct be included in any policy and/or architectural designs for a NMD system. Foreclosing a Navy contribution at the front end of NMD development would not be in the best long-term interests of our country.



J. L. JOHNSON

Copy to:  
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# Appendix D

## National Intelligence Council

### Foreign Missile Developments and the Ballistic Missile Threat to the United States Through 2015

September 1999

This paper has been prepared under the auspices of the National Intelligence Officer for Strategic and Nuclear Programs, Bob Walpole; comments or questions should be directed to CIA's Office of Public Affairs on (703)482-0623 .

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#### **Preface**

Congress has requested that the Intelligence Community produce annual reports on ballistic missile developments. We produced the first report in March 1998 and an update memorandum in October 1998 on the August North Korean launch of its Taepo Dong-1 space launch vehicle (SLV). Our 1999 report is a classified National Intelligence Estimate, which we have summarized in unclassified form in this paper.

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This year we examined future capabilities for several countries that have or have had ballistic missiles or SLV programs or intentions to pursue such programs. Using intelligence information and expertise from inside and outside the Intelligence Community, we examined scenarios by which a country *could* acquire an ICBM by 2015, including by purchase, and assessed the *likelihood* of various scenarios. (Some analysts believe that the prominence given to missiles countries “could” develop gives more credence than is warranted to developments that may prove implausible.) We did not attempt to address all of the potential political, economic, and social changes that could occur. Rather, we analyzed the level of success and the pace countries have experienced in their development efforts, international technology transfers, political motives, military incentives, and economic resources. From that basis, we projected *possible* and *likely* missile developments by 2015 independent of significant political and economic changes. Subsequent annual reports will be able to account for such changes.

Our projections for future ICBM developments are based on limited information and engineering judgment. Adding to our uncertainty is that many countries surround their ballistic missile programs with secrecy, and some employ deception. Although some key milestones are difficult to hide, we may miss others. For example, we may not know all aspects of a missile systems configuration until flight testing; we did not know until the launch last August that North Korea had acquired a third stage for its Taepo Dong 1.

We took into account recommendations made in July 1998 by the Commission to Assess the Ballistic Missile Threat to the United States and incorporated the results of several academic and contractor efforts, including politico-economic experts to help examine future environments that might foster ICBM sales and missile contractors to help postulate potential ICBM configurations that rogue states could pursue.

## **Key Points**

We project that during the next 15 years the United States most likely will face ICBM threats from Russia, China, and North Korea, probably from Iran, and possibly from Iraq. The Russian threat, although significantly reduced, will continue to be the most robust and lethal, considerably more so than that posed by China, and orders of magnitude more than that potentially posed by other nations, whose missiles are likely to be fewer in numberó probably a few to tens, constrained to smaller payloads, and less reliable and accurate than their Russian and Chinese counterparts.

We judge that North Korea, Iran, and Iraq would view their ICBMs more as strategic weapons of deterrence and coercive diplomacy than as weapons of war. We assess that:

- North Korea *could convert* its Taepo Dong-1 space launch vehicle (SLV) into an ICBM that could deliver a light payload (sufficient for a biological or chemical weapon) to the United States, albeit with inaccuracies that would make hitting large urban targets improbable. North Korea is *more likely to weaponize* the larger Taepo Dong-2 as an ICBM that could deliver a several-hundred kilogram payload (sufficient for early generation nuclear weapons) to the United States. Most analysts believe it could be tested at any time, probably initially as an SLV, unless it is delayed for political reasons.

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- Iran *could test* an ICBM that could deliver a several-hundred kilogram payload to many parts of the United States in the last half of the next decade using Russian technology and assistance. Most analysts believe it could test an ICBM capable of delivering a lighter payload to the United States in the next few years following the North Korean pattern.
    - Analysts differ on the likely timing of Iran’s first test of an ICBM that could threaten the United States—assessments range from *likely before 2010 and very likely before 2015* (although an SLV with ICBM capability probably will be tested in the next few years) to *less than an even chance* of an ICBM test by 2015.
  - Iraq *could test* a North Korean-type ICBM that could deliver a several-hundred kilogram payload to the United States in the last half of the next decade depending on the level of foreign assistance. Although less likely, most analysts believe it *could test* an ICBM that could deliver a lighter payload to the United States in a few years based on its failed SLV or the Taepo Dong-1, if it began development now.
    - Analysts differ on the likely timing of Iraq’s first test of an ICBM that could threaten the United States—assessments range from *likely before 2015, possibly before 2010* (foreign assistance would affect capability and timing) to *unlikely before 2015*.
  - By 2015, Russia will maintain as many nuclear weapons on ballistic missiles as its economy will allow but well short of START I or II limitations.
  - By 2015, China is likely to have tens of missiles capable of targeting the United States, including a few tens of more survivable, land- and sea-based mobile missiles with smaller nuclear warheads—in part influenced by US technology gained through espionage. China tested its first mobile ICBM in August 1999.

Sales of ICBMs or SLVs, which have inherent ICBM capabilities and could be converted relatively quickly with little or no warning, could increase the number of countries able to threaten the United States. North Korea continues to demonstrate a willingness to sell its missiles. Although we judge that Russia or China are unlikely to sell an ICBM or SLV in the next fifteen years, the consequences of even one sale would be extremely serious.

Several other means to deliver weapons of mass destruction to the United States have probably been devised, some more reliable than ICBMs that have not completed rigorous testing programs. For example, biological or chemical weapons could be prepared in the United States and used in large population centers, or short-range missiles could be deployed on surface ships. However, these means do not provide a nation the same prestige and degree of deterrence or coercive diplomacy associated with ICBMs.

The proliferation of medium-range ballistic missiles (MRBMs)—driven primarily by North Korean No Dong sales—has created an immediate, serious, and growing threat to US forces, interests, and allies, and has significantly altered the strategic balances in the Middle East and Asia. We judge that countries developing missiles view their regional concerns as one of the primary factors in tailoring their programs. They see their short- and medium-range missiles not only as deterrents but also as force-multiplying weapons of war, primarily with conventional weapons, but with options for deliv-

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ering biological, chemical, and eventually nuclear weapons. South Asia provides one of the most telling examples of regional ballistic missile and nuclear proliferation:

- Pakistan has Chinese-supplied M-11 short-range ballistic missiles (SRBMs) and Ghauri MRBMs from North Korea.
- India has Prithvi I SRBMs and recently began testing the Agni II MRBM.
- We assess these missiles may have nuclear roles.

Foreign assistance continues to have demonstrable effects on missile advances around the world, particularly from Russia and North Korea. Moreover, some countries that have traditionally been recipients of foreign missile technology are now sharing more amongst themselves and are pursuing cooperative missile ventures.

We assess that countries developing missiles also will respond to US theater and national missile defenses by deploying larger forces, penetration aids, and countermeasures. Russia and China each have developed numerous countermeasures and probably will sell some related technologies.

## **Discussion**

### **Introduction**

The worldwide ballistic missile proliferation problem has continued to evolve during the past year. The proliferation of technology and components continues. The capabilities of the missiles in the countries seeking to acquire them are growing, a fact underscored by North Korea's launch of the Taepo Dong-1 in August 1998. The number of missiles in these countries is also increasing. Medium- and short-range ballistic missile systems, particularly if armed with weapons of mass destruction (WMD) warheads, already pose a significant, threat to US interests, military forces, and allies overseas. We have seen increased trade and cooperation among countries that have been recipients of missile technologies from others. Finally, some countries continue to work toward longer-range systems, including ICBMs.

We expect the threat to the United States and its interests to increase over the next 15 years. However, projecting political and economic developments that could alter the nature of the missile threat many years into the future is virtually impossible. The threat facing the United States in the year 2015 will depend on our changing relations with foreign countries, the political situation within those countries, economic factors, and numerous other factors that we cannot predict with confidence.

- For example, 15 years ago the United States and the Soviet Union were superpower adversaries in the midst of the Cold War, with military forces facing off in central Europe and competing for global power. Today, by contrast, the differences that separated the two countries during that period have been replaced by differences expected between modern nation states.
- Iraq is another example; 15 years ago it shared common interests with the United States. Since Iraq's invasion of Kuwait in 1990, Washington and Baghdad have been in numerous military and diplomatic conflicts.

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- Finally, we do not know whether some of the countries of concern will exist in 15 years in their current state or as suppliers of missiles and technology.

Recognizing these uncertainties, we have projected foreign ballistic missile capabilities into the future largely based on technical capabilities and with a general premise that relations with the United States will not change significantly enough to alter the intentions of those states pursuing ballistic missile capabilities. Future annual reports will be able to take account of any contemporary information that alters our projections.

## **The Evolving Missile Threat in the Current Proliferation Environment**

The new missile threats confronting the United States are far different from the Cold War threat during the last three decades. During that period, the ballistic missile threat to the United States involved relatively accurate, survivable, and reliable missiles deployed in large numbers. Soviet—and to a much lesser extent Chinese—strategic forces threatened, as they still do, the potential for catastrophic, nation-killing damage. By contrast, the new missile threats involve states with considerably fewer missiles with less accuracy, yield, survivability, reliability, and range-payload capability than the hostile strategic forces we have faced for 30 years. Even so, the new systems are threatening, but in different ways.

First, although the majority of systems being developed and produced today are short- or medium-range ballistic missiles, North Korea's three-stage Taepo Dong-1 SLV demonstrated Pyongyang's potential to cross the 5,500-km ICBM threshold if it develops a survivable weapon for the system. Other potentially hostile nations could cross that threshold during the next 15 years. While it remains extremely unlikely that any potential adversary could inflict damage to the United States or its forces comparable to the damage that Russian or Chinese forces could inflict, emerging systems potentially can kill tens of thousands, or even millions of Americans, depending on the type of warhead, the accuracy, and the intended target.

## **Classification of Ballistic Missiles by Range**

Short-range ballistic missile (SRBM)	Under 1,000 km
Medium-range ballistic missile (MRBM)	1,000 to 3,000 km
Intermediate-range ballistic missile (IRBM)	3,000 to 5,500 km
Intercontinental-range ballistic missile (ICBM)	Over 5,500 km

Second, many of the countries that are developing longer-range missiles probably assess that the *threat* of their use would complicate American decision-making during crises. Over the last decade, the world has observed that missiles less capable than the ICBMs the United States and others have deployed can affect another nation's decision-making process. Though US potential adversaries recognize American military superiority, they are likely to assess that their growing missile capabilities would enable them to increase the cost of a US victory and potentially deter Washington from pursuing certain objectives. Moreover, some countries, including some without hostile intent towards the United States, probably view missiles as a means of providing an independent deterrent and war-fighting capabilities.

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Third, the probability that a WMD-armed missile will be used against US forces or interests is higher today than during most of the Cold War. Ballistic missiles, for example, were used against US forces during the Gulf war. More nations now have longer-range missiles and WMD warheads. Missiles have been used in several conflicts over the past two decades, although not with WMD warheads. Nevertheless, some of the regimes controlling these missiles have exhibited a willingness to use WMD.

Thus, acquiring long-range ballistic missiles armed with WMD will enable weaker countries to do three things that they otherwise might not be able to do: deter, constrain, and harm the United States. To achieve these objectives, these WMD-armed weapons need not be deployed in large numbers; with even a few such weapons, these countries would judge that they had the capability to threaten at least politically significant damage to the United States or its allies. They need not be highly accurate; the ability to target a large urban area is sufficient. They need not be highly reliable, because their strategic value is derived primarily from the threat (implicit or explicit) of their use, not the near certain outcome of such use. Some of these systems may be intended for their political impact as potential terror weapons, while others may be built to perform more specific military missions, facing the United States with a broad spectrum of motivations, development timelines, and resulting hostile capabilities. In many ways, such weapons are not envisioned at the outset as operational weapons of war, but primarily as strategic weapons of deterrence and coercive diplomacy. The progress of countries in Asia and the Middle East toward acquiring longer-range ballistic missiles has been dramatically demonstrated over the past 18 months:

- Most notably, North Korea's three-stage Taepo Dong-1 SLV has inherent, albeit limited, capabilities to deliver small payloads to ICBM ranges. Although the Taepo Dong-1 satellite attempt in August 1998 failed, North Korea demonstrated several of the key technologies required for an ICBM, including staging. As a space launch vehicle, however, it did not demonstrate a payload capable of surviving atmospheric reentry at ICBM ranges. We judge that North Korea would be unlikely to pursue weaponizing a three-stage Taepo Dong-1 as an ICBM, preferring instead to pursue the much more capable Taepo Dong-2, which we expect will be flight tested this year, unless it is delayed for political reasons.
- Pakistan flight-tested its 1,300 km range Ghauri missile, which it produced with North Korean assistance. (Pakistan also flight-tested the Shaheen I SRBM.)
- Iran flight-tested its 1,300 km range Shahab-3—a version of North Korea's No Dong, which Iran has produced with Russian assistance.
- India flight-tested its Agni II MRBM, which we estimate will have a range of about 2,000 km.
- China conducted the first flight test of its DF-31 mobile ICBM in August 1999; it will have a range of about 8,000 km.

Many of these countries probably have considered ballistic missile defense countermeasures. Historically, the development and deployment of missile defense systems have been accompanied by the development of countermeasures and penetration aids by potential adversaries, either in reaction to the threat or in anticipation of it. The Russians and Chinese have had countermeasure programs for

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decades and are probably willing to transfer some related technology to others. We expect that during the next 15 years, countries other than Russia and China will develop countermeasures to Theater and National Missile Defenses.

## **Threat Availability Before “Deployment”**

Emerging long-range missile powers do not appear to rely on robust test programs to ensure a missile’s accuracy and reliability—as the United States and the Soviet Union did during the Cold War. Similarly, deploying a large number of long-range missiles to dedicated, long-term sites—as the United States and the Soviet Union did—is not necessarily the path emerging long-range missile powers will choose. In many cases, a nation may decide that the ability to threaten with one or two long-range missiles is sufficient for its doctrinal or propaganda needs. China, for example, has only about 20 ICBMs; its doctrine requires only that it be able to hold a significant portion of an aggressor’s population at risk.

With shorter flight test programs—perhaps only one test—and potentially simple deployment schemes, the time between the initial flight test and the availability of a missile for military use is likely to be shortened. Once a missile has performed successfully through its critical flight functions, it would be available for the country to use as a threat or in a military role. Thus, we project the year for a first flight test rather than the projected date for a missile’s “deployment” as the initial indication of an emerging threat. Moreover, using the date of the first projected flight test as the initial indicator of the threat recognizes that emerging long-range missile powers may not choose to deploy a large number of missiles and that an adversary armed with even a single missile capable of delivering a WMD-payload may consider it threatening. Using the first flight test results in threat projections a few years earlier than those based on traditional definitions of deployment, which may not apply as well to the emerging threats.

## **Potential ICBM Threats to the United States**

We project that during the next 15 years the United States most likely will face ICBM threats from Russia, China, and North Korea, probably from Iran, and possibly from Iraq, although the threats will consist of dramatically fewer weapons than today because of significant reductions we expect in Russian strategic forces.

- The Russian threat will continue to be the most robust and lethal, considerably more so than that posed by China, and orders of magnitude more than that posed by the other three.
- Initial North Korean, Iranian, and Iraqi ICBMs would probably be fewer in number—a few to tens rather than hundreds or thousands, constrained to smaller payload capabilities, and less reliable and accurate than their Russian and Chinese counterparts.
- Countries with emerging ICBM capabilities are likely to view their relatively few ICBMs more as weapons of deterrence and coercive diplomacy than as weapons of war, recognizing that their use could bring devastating consequences. Thus, the emerging threats posed to the United States by these countries will be very different than the Cold War threat.

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## North Korea

After Russia and China, North Korea is the most likely to develop ICBMs capable of threatening the United States during the next 15 years.

- North Korea attempted to orbit a small satellite using the Taepo Dong-1 SLV in August 1998, but the third stage failed during powered flight; other aspects of the flight, including stage separation, appear to have been successful.
- If it had an *operable* third stage and a reentry vehicle capable of surviving ICBM flight, a converted Taepo Dong-1 SLV *could* deliver a light payload to the United States. In these cases, about two-thirds of the payload mass would be required for the reentry vehicle structure. The remaining mass is probably too light for an early generation nuclear weapon but could deliver biological or chemical (BW/CW) warfare agent.
- Most analysts believe that North Korea *probably will test* a Taepo Dong-2 this year, unless delayed for political reasons. A two-stage Taepo Dong-2 could deliver a several-hundred kilogram payload to Alaska and Hawaii, and a lighter payload to the western half of the United States. A three-stage Taepo Dong-2 could deliver a several-hundred kilogram payload anywhere in the United States.
- North Korea is much *more likely* to weaponize the more capable Taepo Dong-2 than the three-stage Taepo Dong-1 as an ICBM.

## Iran

Iran is the next hostile country most capable of testing an ICBM capable of delivering a weapon to the United States during the next 15 years.

- Iran *could test* an ICBM that could deliver a several-hundred kilogram payload to many parts of the United States in the latter half of the next decade, using Russian technology and assistance.
- Iran *could pursue* a Taepo Dong-type ICBM. Most analysts believe it could test a three-stage ICBM patterned after the Taepo Dong-1 SLV or a three-stage Taepo Dong-2-type ICBM, possibly with North Korean assistance, in the next few years.
- Iran is *likely to test* an SLV by 2010 that—once developed—could be converted into an ICBM capable of delivering a several-hundred kilogram payload to the United States.
- Analysts differ on the likely timing of Iran's first flight test of an ICBM that could threaten the United States. Assessments include:
  - likely* before 2010 and *very likely* before 2015 (noting that an SLV with ICBM capabilities will *probably be tested within the next few years*);
  - no more than an *even chance* by 2010 and a *better than even chance* by 2015;
  - and *less than an even chance* by 2015.

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## **Iraq**

Although the Gulf war and subsequent United Nations activities destroyed much of Iraq's missile infrastructure, Iraq could test an ICBM capable of reaching the United States during the next 15 years.

- After observing North Korean activities, Iraq *most likely would pursue* a three-stage Taepo Dong-2 approach to an ICBM (or SLV), which could deliver a several-hundred kilogram payload to parts of the United States. If Iraq could buy a Taepo Dong-2 from North Korea, it *could have a launch capability* within months of the purchase; if it bought Taepo Dong engines, it *could test* an ICBM by the middle of the next decade. Iraq probably would take until the end of the next decade to develop the system domestically.
- Although much less likely, most analysts believe that if Iraq were to begin development today, it *could test* a much less capable ICBM in a few years using Scud components and based on its prior SLV experience or on the Taepo Dong-1.
- If it could acquire No Dongs from North Korea, Iraq *could test* a more capable ICBM along the same lines within a few years of the No Dong acquisition.
- Analysts differ on the likely timing of Iraq's first flight test of an ICBM that could threaten the United States. Assessments include *unlikely* before 2015; and *likely* before 2015, possibly before 2010—foreign assistance would affect the capability and timing.

## **Russia**

Russia's strategic offensive forces are experiencing serious budget constraints but will remain the cornerstone of its military power. Russia expects its forces to deter both nuclear and conventional military threats and is prepared to conduct limited nuclear strikes to warn off an enemy or alter the course of a battle.

- Russia currently has about 1,000 strategic ballistic missiles with 4,500 warheads.
- Its strategic force will remain formidable through and beyond 2015, but the size of this force will decrease dramatically—well below arms control limits—primarily because of budget constraints.
- Russia will maintain as many strategic missiles and associated nuclear warheads as it believes it can afford, but well short of START I or II limitations.
  - If Russia ratifies START II, with its ban on multiple warheads on ICBMs, it would probably be able to maintain only about half of the weapons it could maintain without the ban.
- We judge that an unauthorized or accidental launch of a Russian strategic missile is highly unlikely so long as current technical and procedural safeguards are in place.

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## **China**

Chinese strategic nuclear doctrine calls for a survivable long-range missile force that can hold a significant portion of the US population at risk in a retaliatory strike.

- China's current force of about 20 CSS-4 ICBMs can reach targets in all of the United States.
- Beijing also is developing two new road-mobile, solid propellant ICBMs.
  - It conducted the first flight test of the mobile DF-31 ICBM in August 1999; we judge it will have a range of about 8,000 km and will be targeted primarily against Russia and Asia.
  - We expect a test of a longer range mobile ICBM within the next several years; it will be targeted primarily against the United States.
- China is developing the JL-2 SLBM, which we expect to be tested within the next decade. The JL-2 probably will be able to target the United States from launch areas near China.
- By 2015, China will likely have tens of missiles targeted against the United States, having added a few tens of more survivable land- and sea-based mobile missiles with smaller nuclear warheads—in part influenced by US technology gained through espionage.
- China has had the technical capability to develop multiple RV payloads for 20 years. If China needed a multiple-RV (MRV) capability in the near term, Beijing could use a DF-31-type RV to develop and deploy a simple MRV or multiple independently targetable reentry vehicle (MIRV)<sup>1</sup> for the CSS-4 in a few years. MIRVing a future mobile missile would be many years off.
- China is also significantly improving its theater missile capabilities and is increasing the size of its SRBM force deployed opposite Taiwan.
- We assess that an unauthorized launch of a Chinese strategic missile is highly unlikely.

## **Foreign Assistance**

Foreign assistance continues to have demonstrable effects on missile advances around the world. Moreover, some countries that have traditionally been recipients of foreign missile technology are now sharing more amongst themselves and are pursuing cooperative missile ventures.

- Russian missile assistance continues to be significant.
- China continues to contribute to missile programs in some countries.
- North Korea may expand sales.

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Moreover, changes in the regional and international security environment—in particular, Iran’s Shahab-3 missile test and the Indian and Pakistani missile and nuclear tests—probably will fuel missile and WMD interests in the region.

Sales of ICBMs or SLVs, which have inherent ICBM capabilities, could further increase the number of countries that will be able to threaten the United States with a missile strike. North Korea continues to demonstrate a willingness to sell its missiles and related technologies and will probably continue doing so, perhaps under the guise of selling SLVs. In the past, we judged that political conditions made the sale of a Russian or Chinese ICBM unlikely and that the geopolitical situation would not change enough for either to decide that the sale of an ICBM would be in its national interest. We have not detected the transfer of a complete ICBM by Russia or China, nor do we have any information to indicate either plans to transfer one. Projecting the likelihood of such a transfer 15 years into the future is very uncertain, driven in part by unpredictable future economic conditions, how Moscow will perceive its position vis—vis the West, and future Russian and Chinese perceptions of US ballistic missile defenses. As we attempt to project the politico-military-economic environment for that period, we continue to judge it unlikely that Moscow or Beijing would decide that the financial and perhaps strategic inducements to sell a complete ICBM, SLV, or the technologies tantamount to a complete ICBM, would outweigh the perceived political and economic risks of doing so.<sup>2</sup>

## **Warning Times and our Ability to Forecast Missile Development and Acquisition**

In our 1998 annual report, we stated we had high confidence that we could provide warning five years *before deployment* that a potentially hostile country was trying to *develop and deploy* an ICBM. Because countries of concern could threaten to use ballistic missiles following limited flight-testing and before a missile is *deployed* in the traditional sense, we broadened our warning in the 1998 update memorandum to encompass the first successful flight test as the beginning of an “initial threat availability.”

Our ability to provide warning for a particular country is depends highly on our collection capabilities. For some countries, we have relatively large bodies of evidence on which to base our assessments; for others, our knowledge of the programs being pursued is limited. Our monitoring and warning about North Korea’s efforts to achieve an ICBM capability constitute an important case study on warning. In 1994, we were able to give five years warning of North Korea’s efforts to acquire an ICBM capability. At that time, the Intelligence Community judged that:

- The Taepo Dong-1 was a two-stage, medium-range missile that could be tested in 1994 and deployed as early as 1996.
- The Taepo Dong-2 was a larger two-stage missile that would provide P’yongyang and other countries the potential to deliver nuclear weapons to parts of the United States, and biological and chemical weapons further. The Community judged that the Taepo Dong-2 flight test program would begin within a few years of 1994 with initial deployment in 2000 or later.

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Thus, the Intelligence Community warned that North Korea was pursuing an ICBM capability and would flight test an ICBM (the Taepo Dong-2) in the mid- to late 1990s. When North Korea did not flight test either Taepo Dong missile until 1998, and then used the Taepo Dong-1 as a space launch vehicle, it became clear that the Intelligence Community had:

- Overestimated that North Korea would begin flight testing the Taepo Dong-1 and Taepo Dong-2 missiles years earlier than turned out to be the case.
- Projected correctly the timing of a North Korean missile with the potential to deliver payloads to the ICBM range of 5,500-km.
- Underestimated the capabilities of the Taepo Dong-1 by failing to anticipate the use of the third stage.

North Korea demonstrated intercontinental-range booster capabilities roughly on the timetable projected in 1994, but with a completely unanticipated vehicle configuration. The Intelligence Community had expected North Korea to achieve an ICBM-range capability initially with the two-stage Taepo Dong-2, not the Taepo Dong-1 with an unguided third stage. North Korea's use of the Taepo Dong-1 with a third stage as a space launch vehicle was completely unexpected. Until the flight test, the Intelligence Community was unaware of the third stage and the intended use of the Taepo Dong-1 as a space launch vehicle.

Detecting or suspecting a missile development program and projecting the timing of the emerging threat, although difficult, are easier than forecasting the vehicle's configuration or performance with accuracy. Thus, we have more confidence in our ability to warn of efforts by countries to develop ICBMs than we have in our ability to describe accurately the missile configurations that will comprise that threat, especially years prior to flight testing. Furthermore, countries practice denial and deception to hide or mask their intentions—for example, testing an ICBM as a space launch vehicle. We continue to judge that we may not be able to provide much warning if a country purchased an ICBM or if a country already had an SLV capability. Nevertheless, the initiation of an SLV program is an indicator of a potential ICBM program. North Korea and other countries, such as Iran and an unconstrained Iraq, could develop an SLV booster, then flight-test it as an ICBM with a reentry vehicle (RV) with little or no warning. Thus, we consider space launch vehicles, especially in the hands of countries hostile to the United States, to have significant ballistic missile potential. We also judge that we may not be able to provide much, if any, warning of a forward-based ballistic missile or land-attack cruise missile (LACM) threat to the United States. Moreover, LACM development can draw upon dual-use technologies. We expect to see acquisition of LACMs by many countries to meet regional military requirements.

## **Space Launch Vehicle (SLV) Conversion**

Nations with SLVs could convert them into ICBMs relatively quickly with little or no chance of detection before the first flight test. Such a conversion would include the development of a reentry vehicle (RV). A nation could try to buy an SLV with the intent to convert it into an ICBM; detection of the sale should provide a few years of warning before a flight test, although we are not confident

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that we could detect a covert sale. Finally, many SLVs would be cumbersome as converted military systems and could not be made readily survivable, a task that in many cases would be technologically and economically formidable.

Countries might mask their ICBM developments as SLV programs. They could test the complete booster and in most cases the guidance system, which would have to be reprogrammed to fly a ballistic missile trajectory. They could not mask a warhead reentry under the guise of a space launch. Nevertheless, they could develop RVs and maintain them untested for future use, albeit with significantly reduced confidence in their reliability.

- If the country had Russian or Chinese assistance in a covert development effort, it could have relatively high confidence that the RV would survive and function properly.
- If a country developed an untested RV without foreign assistance, its confidence would diminish, but we could not be confident it would fail. Significant amounts of information about reentry vehicles are available in open sources. A low performing RV with high flight stability would be a logical choice for developing an ICBM RV with minimal, or no, testing. The developing country could have some confidence that the system would survive reentry, although confidence in its proper delivery of the weapon would be lower without testing.

## **Alternative Threats to the United States**

Several other means to deliver WMD to the United States have probably been devised, some more reliable than ICBMs that have not completed rigorous testing and validation programs. The goal of an adversary would be to move the weapon within striking distance without a long-range ICBM. Most of these means, however, do not provide the same prestige and degree of deterrence or coercive diplomacy associated with long-range missiles, but they might be the means of choice for terrorists.

### **Forward-Based Threats**

Several countries are technically capable of developing a missile-launch mechanism to use from forward-based ships or other platforms to launch SRBMs and MRBMs, or land-attack cruise missiles against the United States. Some countries may develop and deploy a forward-based system during the period of the next 15 years.

A short- or medium-range ballistic missile could be launched at the United States from a forward-based sea platform positioned within a few hundred kilometers of US territory. If the attacking country were willing to accept significantly reduced accuracy for the missile, forward-basing on a sea-based platform would not be a major technical hurdle. The reduced accuracy in such a case, however, would probably be better than that of some early ICBMs. The simplest method for launching a ship-borne ballistic missile would be to place a secured TEL onboard the ship and launch the missile from its TEL. If accuracy were a major concern, the missile and launcher would be placed on a stabilization platform to compensate for wave movement of the ocean, or the country would need to add satellite-aided navigation to the missile.

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A concept similar to a sea-based ballistic missile launch system would be to launch cruise missiles from forward-based platforms. This method would enable a country to use cruise missiles acquired for regional purposes to attack targets in the United States.

- A country could launch cruise missiles from fighter, bomber, or commercial transport aircraft outside US airspace. US capability to detect planes approaching the coast, and the limited range of fighter and bomber aircraft of most countries, probably would preclude the choice of military aircraft for the attack. Using a commercial aircraft, however, would be feasible for staging a covert cruise missile attack, but it still would be difficult.
- A commercial surface vessel, covertly equipped to launch cruise missiles, would be a plausible alternative for a forward-based launch platform. This method would provide a large and potentially inconspicuous platform to launch a cruise missile while providing at least some cover for launch deniability.
- A submarine would have the advantage of being relatively covert. The technical sophistication required to launch a cruise missile from a submarine torpedo or missile tube most likely would require detailed assistance from the defense industry of a major naval power.

### **Non-Missile WMD Threats to the United States**

Although non-missile means of delivering WMD do not provide the same prestige or degree of deterrence and coercive diplomacy associated with an ICBM, such options are of significant concern. Countries or non-state actors could pursue non-missile delivery options, most of which:

- Are less expensive than developing and producing ICBMs.
- Can be covertly developed and employed; the source of the weapon could be masked in an attempt to evade retaliation.
- Probably would be more reliable than ICBMs that have not completed rigorous testing and validation programs.
- Probably would be more accurate than emerging ICBMs over the next 15 years.
- Probably would be more effective for disseminating biological warfare agent than a ballistic missile.
- Would avoid missile defenses.

The requirements for missile delivery of WMD impose additional, stringent design requirements on the already difficult technical problem of designing such weapons. For example, initial indigenous nuclear weapon designs are likely to be too large and heavy for a modest-sized ballistic missile but still suitable for delivery by ship, truck, or even airplane. Furthermore, a country (or non-state actor) is likely to have only a few nuclear weapons, at least during the next 15 years. Reliability of delivery would be a critical factor; covert delivery methods could offer reliability advantages over a missile.

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Not only would a country want the warhead to reach its target, it would want to avoid an accident with a WMD warhead at the missile-launch area. On the other hand, a ship sailing into a port could provide secure delivery to limited locations, and a nuclear detonation, either in the ship or on the dock, could achieve the intended purpose. An airplane, either manned or unmanned, could also deliver a nuclear weapon before any local inspection, and perhaps before landing. Finally, a nuclear weapon might also be smuggled across a border or brought ashore covertly.

Foreign non-state actors, including some terrorist or extremist groups, have used, possessed, or are interested in weapons of mass destruction or the materials to build them. Most of these groups have threatened the United States or its interests. We cannot count on obtaining warning of all planned terrorist attacks, despite the high priority we assign to this goal.

Recent trends suggest the likelihood is increasing that a foreign group or individual will conduct a terrorist attack against US interests using chemical agents or toxic industrial chemicals in an attempt to produce a significant number of casualties, damage infrastructure, or create fear among a population. Past terrorist events, such as the World Trade Center bombing and the Aum Shinrikyo chemical attack on the Tokyo subway system, demonstrated the feasibility and willingness to undertake an attack capable of producing massive casualties.

## **Immediate Theater Missile Threats to US Interests and Allies**

The proliferation of MRBMs—driven primarily by North Korean No Dong sales—has created an immediate, serious, and growing threat to US forces, interests, and allies in the Middle East and Asia, and has significantly altered the strategic balances in the regions.

- Iran’s flight test of its Shahab-3, which is based on the No Dong, and Indian and Pakistani missile and nuclear tests may fuel additional interest in MRBMs.
- Pakistan has M-11 SRBMs from China and Ghauri MRBMs from North Korea; we assess both may have a nuclear role.
- India has Prithvi I SRBMs and recently began testing the Agni II MRBM; we assess both may have a nuclear role.

We judge that countries developing missiles view their regional concerns as one of the primary factors in tailoring their programs. They see their short- and medium-range missiles not only as deterrents but also as force-multiplying weapons of war, primarily with conventional weapons but with options for delivering biological, chemical, and eventually nuclear weapons.

## **Penetration Aids and Countermeasures**

We assess that countries developing ballistic missiles would also develop various responses to US theater and national defenses. Russia and China each have developed numerous countermeasures and probably are willing to sell the requisite technologies.

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- Many countries, such as North Korea, Iran, and Iraq probably would rely initially on readily available technology—including separating RVs, spin-stabilized RVs, RV reorientation, radar absorbing material (RAM), booster fragmentation, low-power jammers, chaff, and simple (balloon) decoys—to develop penetration aids and countermeasures.
  - These countries could develop countermeasures based on these technologies by the time they flight test their missiles.

Foreign espionage and other collection efforts are likely to increase. China, for example, has been able to obtain significant nuclear weapons information from espionage, contact with scientists from the United States and other countries, publications and conferences, unauthorized media disclosures, and declassified US weapons information. We assess that China, Iran, and others are targeting US missile information as well.

### **Footnotes**

<sup>1</sup> An MRV system releases multiple RVs along the missile's linear flight path, often at a single target; a MIRV system can maneuver to several different release points to provide targeting flexibility.

<sup>2</sup> The sale of an ICBM is prohibited by the START Treaty.

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## Appendix E

# Treaty Between the United States of America and the Union of Soviet Socialist Republics On The Limitation of Anti-Ballistic Missile Systems

*Signed at Moscow May 26, 1972*  
*Ratification advised by U.S. Senate August 3, 1972*  
*Ratified by U.S. President September 30, 1972*  
*Proclaimed by U.S. President October 3, 1972*  
*Instruments of ratification exchanged October 3, 1972*  
*Entered into force October 3, 1972*

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Proceeding from the premise that nuclear war would have devastating consequences for all mankind,

Considering that effective measures to limit anti-ballistic missile systems would be a substantial factor in curbing the race in strategic offensive arms and would lead to a decrease in the risk of outbreak of war involving nuclear weapons,

Proceeding from the premise that the limitation of anti-ballistic missile systems, as well as certain agreed measures with respect to the limitation of strategic offensive arms, would contribute to the creation of more favorable conditions for further negotiations on limiting strategic arms,

Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to take effective measures toward reductions in strategic arms, nuclear disarmament, and general and complete disarmament,

Desiring to contribute to the relaxation of international tension and the strengthening of trust between States,

Have agreed as follows:

### Article I

1. Each Party undertakes to limit anti-ballistic missile (ABM) systems and to adopt other measures in accordance with the provisions of this Treaty.
2. Each Party undertakes not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense, and not to deploy ABM systems for defense of an individual region except as provided for in Article III of this Treaty.

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## **Article II**

1. For the purpose of this Treaty an ABM system is a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of:

- (a) ABM interceptor missiles, which are interceptor missiles constructed and deployed for an ABM role, or of a type tested in an ABM mode;
- (b) ABM launchers, which are launchers constructed and deployed for launching ABM interceptor missiles; and
- (c) ABM radars, which are radars constructed and deployed for an ABM role, or of a type tested in an ABM mode.

2. The ABM system components listed in paragraph 1 of this Article include those which are:

- (a) operational;
- (b) under construction;
- (c) undergoing testing;
- (d) undergoing overhaul, repair or conversion; or
- (e) mothballed.

## **Article III**

Each Party undertakes not to deploy ABM systems or their components except that:

- (a) within one ABM system deployment area having a radius of one hundred and fifty kilometers and centered on the Party's national capital, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, and (2) ABM radars within no more than six ABM radar complexes, the area of each complex being circular and having a diameter of no more than three kilometers; and
- (b) within one ABM system deployment area having a radius of one hundred and fifty kilometers and containing ICBM silo launchers, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, (2) two large phased-array ABM radars comparable in potential to corresponding ABM radars operational or under construction on the date of signature of the Treaty in an ABM system deployment area containing ICBM silo launchers, and (3) no more than eighteen ABM radars each having a potential less than the potential of the smaller of the above-mentioned two large phased-array ABM radars.

## **Article IV**

The limitations provided for in Article III shall not apply to ABM systems or their components used for development or testing, and located within current or additionally agreed test ranges. Each Party may have no more than a total of fifteen ABM launchers at test ranges.

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## **Article V**

1. Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based.
2. Each Party undertakes not to develop, test or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, not to modify deployed launchers to provide them with such a capacity, not to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers.

## **Article VI**

To enhance assurance of the effectiveness of the limitations on ABM systems and their components provided by the Treaty, each Party undertakes:

- (a) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode; and
- (b) not to deploy in the future radars for early warning of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward.

## **Article VII**

Subject to the provisions of this Treaty, modernization and replacement of ABM systems or their components may be carried out.

## **Article VIII**

ABM systems or their components in excess of the numbers or outside the areas specified in this Treaty, as well as ABM systems or their components prohibited by this Treaty, shall be destroyed or dismantled under agreed procedures within the shortest possible agreed period of time.

## **Article IX**

To assure the viability and effectiveness of this Treaty, each Party undertakes not to transfer to other States, and not to deploy outside its national territory, ABM systems or their components limited by this Treaty.

## **Article X**

Each Party undertakes not to assume any international obligations which would conflict with this Treaty.

## **Article XI**

The Parties undertake to continue active negotiations for limitations on strategic offensive arms.

## **Article XII**

1. For the purpose of providing assurance or compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

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2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article.

3. Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Treaty. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices.

### **Article XIII**

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties shall establish promptly a Standing Consultative Commission, within the framework of which they will:

(a) consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(b) provide on a voluntary basis such information as either Party considers necessary to assure confidence in compliance with the obligations assumed;

(c) consider questions involving unintended interference with national technical means of verification;

(d) consider possible changes in the strategic situation which have a bearing on the provisions of this Treaty;

(e) agree upon procedures and dates for destruction or dismantling of ABM systems or their components in cases provided for by the provisions of this Treaty;

(f) consider, as appropriate, possible proposals for further increasing the viability of this Treaty; including proposals for amendments in accordance with the provisions of this Treaty;

(g) consider, as appropriate, proposals for further measures aimed at limiting strategic arms.

2. The Parties through consultation shall establish, and may amend as appropriate, Regulations for the Standing Consultative Commission governing procedures, composition and other relevant matters.

### **Article XIV**

1. Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures governing the entry into force of this Treaty.

2. Five years after entry into force of this Treaty, and at five-year intervals thereafter, the Parties shall together conduct a review of this Treaty.

### **Article XV**

1. This Treaty shall be of unlimited duration.

2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

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## Article XVI

1. This Treaty shall be subject to ratification in accordance with the constitutional procedures of each Party. The Treaty shall enter into force on the day of the exchange of instruments of ratification.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

**DONE** at Moscow on May 26, 1972, in two copies, each in the English and Russian languages, both texts being equally authentic.

**FOR THE UNITED STATES OF AMERICA:**

**RICHARD NIXON**

*President of the United States of America*

**FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:**

**L. I. BREZHNEV**

*General Secretary of the Central Committee of the CPSU*

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# **Agreed Statements, Common Understandings, and Unilateral Statements Regarding the Treaty Between the United States of America and The Union of Soviet Socialist Republics On The Limitation of Anti-Ballistic Missiles**

## **1. AGREED STATEMENTS**

The document set forth below was agreed upon and initialed by the Heads of the Delegations on May 26, 1972 (letter designations added):

### **Agreed Statements Regarding the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems**

[A]

The Parties understand that, in addition to the ABM radars which may be deployed in accordance with subparagraph (a) of Article III of the Treaty, those non-phased-array ABM radars operational on the date of signature of the Treaty within the ABM system deployment area for defense of the national capital may be retained.

[B]

The Parties understand that the potential (the product of mean emitted power in watts and antenna area in square meters) of the smaller of the two large phased-array ABM radars referred to in subparagraph (b) of Article III of the Treaty is considered for purposes of the Treaty to be three million.

[C]

The Parties understand that the center of the ABM system deployment area centered on the national capital and the center of the ABM system deployment area containing ICBM silo launchers for each Party shall be separated by no less than thirteen hundred kilometers.

[D]

In order to insure fulfillment of the obligation not to deploy ABM systems and their components except as provided in Article III of the Treaty, the Parties agree that in the event ABM systems based on other physical principles and including components capable of substituting for ABM interceptor missiles, ABM launchers, or ABM radars are created in the future, specific limitations on such systems and their components would be subject to discussion in accordance with Article XIII and agreement in accordance with Article XIV of the Treaty.

[E]

The Parties understand that Article V of the Treaty includes obligations not to develop, test or deploy ABM interceptor missiles for the delivery by each ABM interceptor missile of more than one independently guided warhead.

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[F]

The Parties agree not to deploy phased-array radars having a potential (the product of mean emitted power in watts and antenna area in square meters) exceeding three million, except as provided for in Articles III, IV, and VI of the Treaty, or except for the purposes of tracking objects in outer space or for use as national technical means of verification.

[G]

The Parties understand that Article IX of the Treaty includes the obligation of the United States and the USSR not to provide to other States technical descriptions or blueprints specially worked out for the construction of ABM systems and their components limited by the Treaty.

## 2. COMMON UNDERSTANDINGS

Common understanding of the Parties on the following matters was reached during the negotiations:

### A. Location of ICBM Defenses

The U.S. Delegation made the following statement on May 26, 1972:

Article III of the ABM Treaty provides for each side one ABM system deployment area centered on its national capital and one ABM system deployment area containing ICBM silo launchers. The two sides have registered agreement on the following statement: “The Parties understand that the center of the ABM system deployment area centered on the national capital and the center of the ABM system deployment area containing ICBM silo launchers for each Party shall be separated by no less than thirteen hundred kilometers.” In this connection, the U.S. side notes that its ABM system deployment area for defense of ICBM silo launchers, located west of the Mississippi River, will be centered in the Grand Forks ICBM silo launcher deployment area. (See Agreed Statement [C].)

### B. ABM Test Ranges

The U.S. Delegation made the following statement on April 26, 1972:

Article IV of the ABM Treaty provides that “the limitations provided for in Article III shall not apply to ABM systems or their components used for development or testing, and located within current or additionally agreed test ranges.” We believe it would be useful to assure that there is no misunderstanding as to current ABM test ranges. It is our understanding that ABM test ranges encompass the area within which ABM components are located for test purposes. The current U.S. ABM test ranges are at White Sands, New Mexico, and at Kwajalein Atoll, and the current Soviet ABM test range is near Sary Shagan in Kazakhstan. We consider that non-phased array radars of types used for range safety or instrumentation purposes may be located outside of ABM test ranges. We interpret the reference in Article IV to “additionally agreed test ranges” to mean that ABM components will not be located at any other test ranges without prior agreement between our Governments that there will be such additional ABM test ranges.

On May 5, 1972, the Soviet Delegation stated that there was a common understanding on what ABM test ranges were, that the use of the types of non-ABM radars for range safety or instrumentation was

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not limited under the Treaty, that the reference in Article IV to “additionally agreed” test ranges was sufficiently clear, and that national means permitted identifying current test ranges.

### **C. Mobile ABM Systems**

On January 29, 1972, the U.S. Delegation made the following statement:

Article V(1) of the Joint Draft Text of the ABM Treaty includes an undertaking not to develop, test, or deploy mobile land-based ABM systems and their components. On May 5, 1971, the U.S. side indicated that, in its view, a prohibition on development of mobile ABM systems and components would rule out the deployment of ABM launchers and radars which were not permanent fixed types. At that time, we asked for the Soviet view of this interpretation. Does the Soviet side agree with the U.S. sides interpretation put forward on May 5, 1971?

On April 13, 1972, the Soviet Delegation said there is a general common understanding on this matter.

### **D. Standing Consultative Commission**

Ambassador Smith made the following statement on May 22, 1972:

The United States proposes that the sides agree that, with regard to initial implementation of the ABM Treatys Article XIII on the Standing Consultative Commission (SCC) and of the consultation Articles to the Interim Agreement on offensive arms and the Accidents Agreement<sup>1</sup>, agreement establishing the SCC will be worked out early in the follow-on SALT negotiations; until that is completed, the following arrangements will prevail: when SALT is in session, any consultation desired by either side under these Articles can be carried out by the two SALT Delegations; when SALT is not in session, *ad hoc* arrangements for any desired consultations under these Articles may be made through diplomatic channels.

Minister Semenov replied that, on an *ad referendum* basis, he could agree that the U.S. statement corresponded to the Soviet understanding.

### **E. Standstill**

On May 6, 1972, Minister Semenov made the following statement:

In an effort to accommodate the wishes of the U.S. side, the Soviet Delegation is prepared to proceed on the basis that the two sides will in fact observe the obligations of both the Interim Agreement and the ABM Treaty beginning from the date of signature of these two documents.

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<sup>1</sup> See Article 7 of Agreement to Reduce the Risk of Outbreak of Nuclear War Between the United States of America and the Union of Soviet Socialist Republics, signed September 30, 1971.

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In reply, the U.S. Delegation made the following statement on May 20, 1972:

The United States agrees in principle with the Soviet statement made on May 6 concerning observance of obligations beginning from date of signature but we would like to make clear our understanding that this means that, pending ratification and acceptance, neither side would take any action prohibited by the agreements after they had entered into force. This understanding would continue to apply in the absence of notification by either signatory of its intention not to proceed with ratification or approval.

The Soviet Delegation indicated agreement with the U.S. statement.

### **3. UNILATERAL STATEMENTS**

The following noteworthy unilateral statements were made during the negotiations by the United States Delegation:

#### **A. Withdrawal from the ABM Treaty**

On May 9, 1972, Ambassador Smith made the following statement:

The U.S. Delegation has stressed the importance the U.S. Government attaches to achieving agreement on more complete limitations on strategic offensive arms, following agreement on an ABM Treaty and on an Interim Agreement on certain measures with respect to the limitation of strategic offensive arms. The U.S. Delegation believes that an objective of the follow-on negotiations should be to constrain and reduce on a long-term basis threats to the survivability of our respective strategic retaliatory forces. The USSR Delegation has also indicated that the objectives of SALT would remain unfulfilled without the achievement of an agreement providing for more complete limitations on strategic offensive arms. Both sides recognize that the initial agreements would be steps toward the achievement of complete limitations on strategic arms. If an agreement providing for more complete strategic offensive arms limitations were not achieved within five years, U.S. supreme interests could be jeopardized. Should that occur, it would constitute a basis for withdrawal from the ABM Treaty. The United States does not wish to see such a situation occur, nor do we believe that the USSR does. It is because we wish to prevent such a situation that we emphasize the importance the U.S. Government attaches to achievement of more complete limitations on strategic offensive arms. The U.S. Executive will inform the Congress, in connection with Congressional consideration of the ABM Treaty and the Interim Agreement, of this statement of the U.S. position.

#### **B. Tested in an ABM Mode**

On April 7, 1972, the U.S. Delegation made the following statement:

Article II of the Joint Text Draft uses the term “tested in an ABM mode,” in defining ABM components, and Article VI includes certain obligations concerning such testing. We believe that the sides should have a common understanding of this phrase. First, we would note that the testing provisions of the ABM Treaty are intended to apply to testing which occurs after the date of signature of the

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Treaty, and not to any testing which may have occurred in the past. Next, we would amplify the remarks we have made on this subject during the previous Helsinki phase by setting forth the objectives which govern the U.S. view on the subject, namely, while prohibiting testing of non-ABM components for ABM purposes: not to prevent testing of ABM components, and not to prevent testing of non-ABM components for non-ABM purposes. To clarify our interpretation of “tested in an ABM mode,” we note that we would consider a launcher, missile or radar to be “tested in an ABM mode” if, for example, any of the following events occur: (1) a launcher is used to launch an ABM interceptor missile, (2) an interceptor missile is flight tested against a target vehicle which has a flight trajectory with characteristics of a strategic ballistic missile flight trajectory, or is flight tested in conjunction with the test of an ABM interceptor missile or an ABM radar at the same test range, or is flight tested to an altitude inconsistent with interception of targets against which air defenses are deployed, (3) a radar makes measurements on a cooperative target vehicle of the kind referred to in item (2) above during the reentry portion of its trajectory or makes measurements in conjunction with the test of an ABM interceptor missile or an ABM radar at the same test range. Radars used for purposes such as range safety or instrumentation would be exempt from application of these criteria.

### **C. No-Transfer Article of ABM Treaty**

On April 18, 1972, the U.S. Delegation made the following statement:

In regard to this Article [IX], I have a brief and I believe self-explanatory statement to make. The U.S. side wishes to make clear that the provisions of this Article do not set a precedent for whatever provision may be considered for a Treaty on Limiting Strategic Offensive Arms. The question of transfer of strategic offensive arms is a far more complex issue, which may require a different solution.

### **D. No Increase in Defense of Early Warning Radars**

On July 28, 1970, the U.S. Delegation made the following statement:

Since Hen House radars [Soviet ballistic missile early warning radars] can detect and track ballistic missile warheads at great distances, they have a significant ABM potential. Accordingly, the United States would regard any increase in the defenses of such radars by surface-to-air missiles as inconsistent with an agreement.

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# **Protocol To The Treaty Between The United States of America and The Union of Soviet Socialist Republics On The Limitation of Anti-Ballistic Missile Systems**

*Signed at Moscow July 3, 1974*

*Ratification advised by U.S. Senate November 10, 1975*

*Ratified by U.S. President March 19, 1976*

*Instruments of ratification exchanged May 24, 1976*

*Proclaimed by U.S. President July 6, 1976*

*Entered into force May 24, 1976*

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Proceeding from the Basic Principles of Relations between the United States of America and the Union of Soviet Socialist Republics signed on May 29, 1972,

Desiring to further the objectives of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems signed on May 26, 1972, hereinafter referred to as the Treaty,

Reaffirming their conviction that the adoption of further measures for the limitation of strategic arms would contribute to strengthening international peace and security,

Proceeding from the premise that further limitation of anti-ballistic missile systems will create more favorable conditions for the completion of work on a permanent agreement on more complete measures for the limitation of strategic offensive arms,

Have agreed as follows:

## **Article I**

1. Each Party shall be limited at any one time to a single area of the two provided in Article III of the Treaty for deployment of anti-ballistic missile (ABM) systems or their components and accordingly shall not exercise its right to deploy an ABM system or its components in the second of the two ABM system deployment areas permitted by Article III of the Treaty, except as an exchange of one permitted area for the other in accordance with Article II of this Protocol.

2. Accordingly, except as permitted by Article II of this Protocol: the United States of America shall not deploy an ABM system or its components in the area centered on its capital, as permitted by Article III(a) of the Treaty, and the Soviet Union shall not deploy an ABM system or its components in the deployment area of intercontinental ballistic missile (ICBM) silo launchers as permitted by Article III(b) of the Treaty.

## **Article II**

1. Each Party shall have the right to dismantle or destroy its ABM system and the components thereof in the area where they are presently deployed and to deploy an ABM system or its compo-

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nents in the alternative area permitted by Article III of the Treaty, provided that prior to initiation of construction, notification is given in accord with the procedure agreed to in the Standing Consultative Commission, during the year beginning October 3, 1977, and ending October 2, 1978, or during any year which commences at five year intervals thereafter, those being the years of periodic review of the Treaty, as provided in Article XIV of the Treaty. This right may be exercised only once.

2. Accordingly, in the event of such notice, the United States would have the right to dismantle or destroy the ABM system and its components in the deployment area of ICBM silo launchers and to deploy an ABM system or its components in an area centered on its capital, as permitted by Article III(a) of the Treaty, and the Soviet Union would have the right to dismantle or destroy the ABM system and its components in the area centered on its capital and to deploy an ABM system or its components in an area containing ICBM silo launchers, as permitted by Article III(b) of the Treaty.

3. Dismantling or destruction and deployment of ABM systems or their components and the notification thereof shall be carried out in accordance with Article VIII of the ABM Treaty and procedures agreed to in the Standing Consultative Commission.

### **Article III**

The rights and obligations established by the Treaty remain in force and shall be complied with by the Parties except to the extent modified by this Protocol. In particular, the deployment of an ABM system or its components within the area selected shall remain limited by the levels and other requirements established by the Treaty.

### **Article IV**

This Protocol shall be subject to ratification in accordance with the constitutional procedures of each Party. It shall enter into force on the day of the exchange of instruments of ratification and shall thereafter be considered an integral part of the Treaty.

**DONE** at Moscow on July 3, 1974, in duplicate, in the English and Russian languages, both texts being equally authentic.

**FOR THE UNITED STATES OF AMERICA:**

**RICHARD NIXON**

*President of the United States of America*

**FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:**

**L.I. BREZHNEV**

*General Secretary of the Central Committee of the CPSU*

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## **Protocol On Procedures Governing Replacement, Dismantling Or Destruction, and Notification Thereof, For ABM Systems and Their Components**

*Pursuant to the provisions and in implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Agreed Statements regarding that Treaty, the Parties thereto have within the framework of the Standing Consultative Commission agreed upon procedures governing replacement, dismantling or destruction, and notification thereof, for ABM systems and their components limited by that Treaty, as formulated in the Attachment hereto which constitutes an integral part of this Protocol.*

The Parties have also agreed on the following general guidelines:

1. The attached Procedures shall apply only to systems or their components to be replaced and dismantled or destroyed pursuant to the provisions of the Treaty;
2. Any replacement of ABM systems or their components shall be on the basis of Article VII of the Treaty and applicable Agreed Statements; dismantling or destruction of ABM systems or their components in excess of the numbers or outside the areas specified by the Treaty shall be on the basis of Article VIII of the Treaty and applicable Agreed Statements;
3. Dismantling or destruction procedures for ABM systems or their components, related to implementation of the provisions of Article VII regarding replacement of those systems or their components and Article VIII of the Treaty, shall ensure that those systems or their components and facilities associated with those components, except for facilities at test ranges, would be put in a condition that precludes the possibility of their use for ABM purposes; shall ensure that reactivation of units dismantled or destroyed would be detectable by national technical means; shall be such that reactivation time of those units would not be substantially less than the time required for new construction; and shall preclude unreasonable delays in dismantling or destruction;
4. Replacement and dismantling or destruction procedures shall be formulated separately for above-ground and silo ABM launchers and for ABM radars;
5. Replacement and dismantling or destruction procedures shall ensure that adequate verification can be accomplished by national technical means in accordance with Article XII of the Treaty;
6. After dismantling or destruction in accordance with the attached Procedures, facilities remaining at ABM launch or ABM radar sites may, at the discretion of the Parties, be used for purposes not inconsistent with the provisions of the Treaty and applicable Agreed Statements; and
7. Through timely and appropriate procedures, the Parties shall notify each other of the number and type (above-ground or silo) of ABM launchers and of the number of ABM radars on which dismantling or destruction has been completed and is in process, and of the number of ABM launchers and ABM radars used for replacement.

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This Protocol and the attached Procedures shall enter into force upon signature of this Protocol and remain in force for the duration of the Treaty, and may be amended by the Standing Consultative Commission as it deems appropriate.

DONE at Moscow on July 3, 1974, in duplicate, in the English and Russian languages, both texts being equally authentic.

**FOR THE UNITED STATES  
OF AMERICA:**  
*Secretary of State*

**FOR THE UNION OF SOVIET  
SOCIALIST REPUBLICS:**  
*Minister of Foreign Affairs*

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# **Procedures Governing Dismantling Or Destruction, and Notification Thereof, For ABM Systems And Their Components**

## **I. Excess ABM Launchers at Test Ranges**

1. Above-ground launchers and associated equipment shall be removed from the sites, and the entire part of the launch pad containing the launcher mount and reinforcements shall be dismantled or destroyed. Launch-pad debris may be removed and after six months the location covered with earth.
2. Silo launchers shall be made unusable by dismantling or destruction of their above-ground structures and headworks, and removal of launch rails. Silo-launcher debris may be removed and after six months the silos may be filled with earth.
3. The dismantling or destruction actions described in paragraphs 1 and 2 shall be completed no later than three months after their initiation.
4. Facilities associated with dismantled or destroyed ABM launchers at test ranges may, at the discretion of the Parties, be used for purposes not inconsistent with the provisions of the Treaty on the Limitation of ABM Systems, and applicable Agreed Statements.
5. Notification of the completion of the activities provided for in paragraphs 1 and 2 shall be given in the Standing Consultative Commission twice annually reflecting the actual status as of the beginning of a regular session of the Commission.

## **II. ABM Facilities at Malmstrom**

1. Metal reinforcing rods on radar buildings shall be cut off.
2. Radar buildings for which wall construction had commenced shall be left uncovered in their uncompleted state for six months, after which they may be covered with earth.
3. Launcher facilities and radar buildings for which only foundations had been completed shall be covered with earth.
4. Earth grading of the entire area shall be accomplished and construction materials removed.
5. Dismantling or destruction activities shall be initiated no later than six months after agreement on these Procedures.
6. Notification that the above activities have been completed shall be given in the Standing Consultative Commission.

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## **Standing Consultative Commission**

### **Agreed Statement Regarding Section III, Paragraph 5 of the Procedures Governing Replacement, Dismantling or Destruction, and Notification thereof, for ABM Systems and their Components Attached to the Supplementary Protocol of October 28, 1976**

Agreeing that dismantling or destruction of ABM radars being replaced, which are components of the currently deployed ABM system of each Party, shall be completed without unreasonable delays no later than one year after initiation thereof as defined in Section III, subparagraph 2(b) of these Procedures, the Parties understand that if, in the future, either Party operationally deploys ABM radars of another type as a component of an ABM system, the periods of time for dismantling or destruction of such radars would be subject to agreement in the Standing Consultative Commission, but in any case would not exceed one year.

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**Supplementary Protocol To The Protocol On Procedures Governing  
Replacement, Dismantling Or Destruction, And Notification Thereof,  
For ABM Systems and Their Components of July 3, 1974**

Pursuant to the provisions and in implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Agreed Statements regarding the Treaty, and the Protocol to the Treaty of July 3, 1974, the Parties thereto have, within the framework of the Standing Consultative Commission and in implementation of the provisions of the Protocol on Procedures Governing Replacement, Dismantling or Destruction, and Notification Thereof, for ABM Systems and Their Components of July 3, 1974, agreed upon procedures governing replacement, dismantling or destruction, and notification thereof, for ABM systems and their components limited by the Treaty, as formulated in the Attachment to this Supplementary Protocol.

This Supplementary Protocol and the attached Procedures shall constitute an integral part of the Protocol on Procedures Governing Replacement, Dismantling or Destruction, and Notification Thereof, for ABM Systems and Their Components of July 3, 1974 and shall be considered the second attachment to that Protocol. The attached Procedures shall enter into force upon signature of this Supplementary Protocol and remain in force for the duration of the Treaty, and may be amended by the Standing Consultative Commission as it deems appropriate.

Done at Geneva on October 28, 1976, in duplicate, in the English and Russian languages, both texts being equally authentic.

**COMMISSIONER,  
UNITED STATES OF AMERICA**

**COMMISSIONER,  
UNION OF SOVIET SOCIALIST REPUBLICS**

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# **Procedures Governing Replacement, Dismantling Or Destruction, And Notification Thereof, For ABM Systems and Their Components**

## **I. General**

1. These Procedures shall constitute an integral part of the Protocol on Procedures Governing Replacement, Dismantling or Destruction, and Notification Thereof, for ABM Systems and Their Components of July 3, 1974, and shall be considered the second attachment to that Protocol. The Procedures shall apply to ABM systems or their components, when they are being replaced within a deployment area on the basis of Article VII of the Treaty on the Limitation of ABM Systems of May 26, 1972, hereinafter referred to as the Treaty, as well as when a deployment area of an ABM system or its components is being exchanged on the basis of the Protocol to the Treaty of July 3, 1974.
2. Replacement of an ABM system or its components within a deployment area or exchange of a deployment area of an ABM system or its components shall be carried out so that components of an ABM system, as defined in Article II of the Treaty, in their total number and composition, shall be consistent with the provisions of Article III of the Treaty.
3. When an ABM system or its components are being replaced within a deployment area or when a deployment area of an ABM system or its components is being exchanged, for each type of component being deployed or replaced an event, verifiable by national technical means, shall be identified which indicates the initiation of its deployment or the initiation of its dismantling or destruction. After such an event, a component correspondingly shall be included in the number specified by the Treaty and Protocol thereto for such components or shall be excluded therefrom.
4. Within a deployment area of an ABM system or its components replacement of an ABM system shall be carried out by replacing its components. Dismantling or destruction of components being replaced and deployment of replacement components of an ABM system shall be carried out in accordance with the provisions of Section II and III of these Procedures.
5. If a replacement component of an ABM system is deployed at the location of the ABM system component being replaced, so that dismantling or destruction of the latter is a necessary part of the construction or installation of the replacement component, the manner and extent of dismantling or destruction of the component being replaced shall be at the discretion of the Party carrying out the replacement. Removal and replacement of ABM interceptor missiles shall be carried out at the discretion of the Party carrying out such replacement, subject to compliance with the provisions of Article III of the Treaty.
6. Exchange of a deployment area of an ABM system or its components shall be carried out through coordinated activities with respect to the dismantling or destruction of the ABM system or its components in the area being exchanged and with respect to the deployment of the ABM system or its components in the replacement area pursuant to the provisions of the Protocol to the Treaty and Section IV of these Procedures.

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7. Notification of the replacement of components of an ABM system, both within a deployment area and when the deployment area of an ABM system or its components is being exchanged, shall be given twice annually in the Standing Consultative Commission at the beginning of regular SCC sessions, reflecting the actual status as of the beginning of that session and covering the period since the last notification in the Commission.

In this connection, the Party carrying out the replacement shall notify the other Party of the number and type (above-ground or silo) of ABM launchers, of the number and type (large phased-array ABM radars or ABM radars with a potential less than three million) of ABM radars, and of the number of ABM radar complexes, on which dismantling or destruction has been completed and is in process, and of the number of ABM launchers, ABM radars and ABM radar complexes which have been replaced.

8. Notification of the exchange of the deployment area of an ABM system or its components shall be given in the Standing Consultative Commission pursuant to Article II of the Protocol to the Treaty. Such notification shall be given before initiation within the replacement area of any construction activities associated with the exchange of the deployment area of an ABM system or its components and shall contain the time of initiation of these activities as well as the location of the new deployment area (the direction and distance to the new area in relation to the center of the area being exchanged).

Upon completion of dismantling or destruction of the ABM system or its components in the area being exchanged, the Party which has carried out the exchange of the deployment area of the ABM system or its components shall notify the other Party of having carried out the exchange of the area, at the next regular session of the Standing Consultative Commission.

9. Each Party may on a voluntary basis add other information to the notifications if it considers such information necessary to assure confidence in compliance with the obligations assumed under the Treaty.

## II. Procedures for ABM Launchers

1. Subject to compliance with the limitations provided for in the Treaty and the Protocol thereto, ABM launchers may be replaced by above-ground or silo ABM launchers within a deployment area as well as when the deployment area of an ABM system or its components is being exchanged.

2. With respect to replacement of ABM launchers within a deployment area of an ABM system or its components, as well as when the deployment area is being exchanged:

(a) The beginning of any construction or assembly work, other than earthwork (excavation), associated with the building of replacement ABM launchers (above-ground and silo) shall constitute initiation of deployment of these launchers, after which they shall be subject to the limitations provided for in Article III of the Treaty.

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(b) Removal from the launch site of all above-ground launcher elements, and in addition, for a silo launcher, dismantling or destruction and removal from the launch site of the silo door or cover and dismantling or destruction of the headworks shall constitute initiation of dismantling or destruction of ABM launchers (above-ground and silo) being replaced, after which they shall not be subject to the limitations provided for in Article III of the Treaty.

(c) Prior to initiation of dismantling or destruction of ABM launchers (above-ground and silo) being replaced, all ABM interceptor missiles associated with them, as well as the warheads for these interceptor missiles, shall be removed from the launch site.

3. When carrying out dismantling or destruction of ABM launchers being replaced, the following actions shall be accomplished:

(a) Above-ground launchers and associated equipment shall be removed from the launch sites and the entire part of the launch pad containing the launcher mount and reinforcements shall be dismantled or destroyed.

(b) Above-ground structures and headworks of ABM silo launchers shall be dismantled or destroyed; dismantled or destroyed silo doors or covers, as well as equipment associated with these launchers, shall be removed from the launch sites. The silo shall be destroyed by dismantling or destroying its concrete elements to a depth of at least five meters from the upper edge of the headworks. The silo shaft shall remain open for at least six months.

4. Deployment of replacement ABM launchers within the deployment area of an ABM system or its components shall be initiated no earlier than initiation of dismantling or destruction of the ABM launchers being replaced in that area.

5. Dismantling or destruction of ABM launchers being replaced shall be completed no later than three months after initiation thereof as defined in subparagraph 2(b) of this Section of the Procedures. Debris remaining after dismantling or destruction of ABM launchers (above-ground and silo) may be removed, and after six months the former ABM launcher locations may be covered with earth.

### III. Procedures for ABM Radars and ABM Radar Complexes

1. Subject to compliance with the limitations provided for in the Treaty and the Protocol thereto, ABM radars and ABM radar complexes may be replaced within a deployment area, as well as when the deployment area of an ABM system or its components is being exchanged.

#### ABM Radars

2. With respect to replacement of ABM radars within a deployment area of an ABM system or its components, as well as when the deployment area is being exchanged:

(a) The beginning of any construction or assembly work associated with the building of antennas (arrays), ABM radar antenna structures, or antenna pedestal supports which are not parts of ABM radar buildings shall constitute initiation of deployment of replacement ABM radars, after which they shall be subject to the limitations provided for in Article III of the Treaty.

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(b) Removal or destruction of antenna protective covers, dismantling or destruction of antennas (arrays) and antenna structures, as well as opening of those parts of ABM radar buildings in which antennas (arrays) had been mounted, shall constitute initiation of dismantling or destruction of ABM radars being replaced, after which they shall not be subject to the limitations provided for in Article III of the Treaty.

3. When carrying out dismantling or destruction of ABM radars being replaced, the following actions shall be accomplished:

(a) ABM radar instruments and equipment shall be dismantled and removed from the radar site.

(b) Antenna protective covers shall be dismantled or destroyed.

(c) ABM radar antennas (arrays) with their structures or with antenna pedestal supports which are not parts of ABM radar buildings as well as the pads occupied by the bases and reinforcements of such supports shall be dismantled or destroyed. The dismantled elements shall be removed from the ABM radar sites.

(d) Those parts of ABM radar buildings in which antennas (arrays) had been mounted as integral parts thereof shall be opened and destroyed in such a manner that there will remain no more than half of the perimeter of the opening formed as a result of opening that part of the building where antennas (arrays) had been mounted. The buildings shall remain in such a condition for six months, after which they may be restored but not beyond that level to which destruction is required.

(e) Debris remaining after completion of dismantling or destruction of ABM radars may be removed after six months.

4. Deployment of replacement ABM radars within the deployment area of an ABM system or its components shall be initiated no earlier than the initiation of dismantling or destruction of the ABM radars being replaced in that area, and shall be carried out in such a manner that it will not cause the number of ABM radars to exceed the number specified in Article III, subparagraph (b) of the Treaty, subject to compliance with the provisions of that subparagraph and the applicable Agreed Statements concerning the potential of radars.

5. Dismantling or destruction of ABM radars being replaced, which are components of the ABM system currently deployed by each Party, shall be completed without unreasonable delays no later than one year after initiation thereof as defined in subparagraph 2(b) of this Section of the Procedures.

6. After dismantling or destruction of ABM radars has been completed in accordance with the above procedures, facilities remaining at ABM radar sites may, at the discretion of the Parties, be used for purposes which are not inconsistent with the provisions of the Treaty.

#### ABM Radar Complexes

7. With respect to replacement of ABM radar complexes within a deployment area of an ABM system or its components, as well as when the deployment area is being exchanged:

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(a) The initiation of deployment, as defined in subparagraph 2(a) of this Section of the Procedures, of even one ABM radar of an ABM radar complex being deployed shall constitute initiation of deployment of replacement ABM radar complexes, after which they shall be subject to the limitations provided for in Article III of the Treaty.

(b) The initiation of dismantling or destruction, as defined in subparagraph 2(b) of this Section of the Procedures, of all ABM radars of each ABM radar complex being replaced shall constitute initiation of dismantling or destruction of ABM radar complexes being replaced, after which they shall not be subject to the limitations provided for in Article III of the Treaty.

8. Deployment of replacement ABM radar complexes within the deployment area of an ABM system or its components shall be initiated no earlier than the initiation of dismantling or destruction of ABM radar complexes being replaced in that area, and shall be carried out in such a manner that it will not cause the number of ABM radar complexes to exceed the number specified in Article III, subparagraph (a) of the Treaty, subject to compliance with the provisions of that subparagraph concerning the size and circular shape of the area of each ABM radar complex.

9. Dismantling or destruction of ABM radar complexes being replaced shall be completed by dismantling or destruction of all ABM radars of each ABM radar complex being replaced in accordance with paragraph 3 of this Section of the Procedures no later than one year after initiation thereof as defined in subparagraph 7(b) of this Section of the Procedures.

#### IV. Procedures for Exchange of the Deployment Area of an ABM System or its Components

1. When the deployment area of an ABM system or its components is being exchanged, no construction activity associated with the deployment of an ABM system or its components in the replacement area shall begin until appropriate notification is given to the other Party pursuant to Article II of the Protocol to the Treaty and Section I, paragraph 8, of these Procedures.

2. When the deployment area of an ABM system or its components is being exchanged:

(a) Initiation of deployment, as defined in Section II, subparagraph 2(a) of these Procedures, of even one ABM launcher (above-ground or silo) in the replacement area shall be carried out no earlier than completion of the initiation of dismantling or destruction, as defined in Section II, subparagraph 2(b) of these Procedures, of all ABM launchers in the area being exchanged.

(b) Initiation of deployment, as defined in Section III, subparagraph 2(a) of these Procedures, of even one ABM radar, including one which is part of an ABM radar complex, in the replacement area shall be carried out no earlier than completion of the initiation of dismantling or destruction, as defined in Section III, subparagraph 2(b) of these Procedures, of all ABM radars, including those which are parts of ABM radar complexes, in the area being exchanged.

3. Prior to completion of dismantling or destruction of 50 percent of the number of ABM launchers, ABM radars or ABM radar complexes in the area being exchanged, the Party carrying out the exchange may initiate deployment of no more than 50 percent of the number of ABM launchers, ABM radars or ABM radar complexes which is specified in Article III of the Treaty for the replacement deployment area of an ABM system or its components.

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4. Each Party may, at its discretion, completely dismantle or destroy the ABM system and its components in the area being exchanged, and thereafter deploy an ABM system or its components in the other area permitted in Article III of the Treaty and the Protocol thereto, provided that, prior to initiation of construction, notification is given pursuant to Article II of the Protocol to the Treaty and Section I, paragraph 8, of these Procedures.

5. When the deployment area of an ABM system or its components centered on the national capital is being exchanged, those non-phased-array ABM radars which were operational within that area on the date of signature of the Treaty shall be dismantled or destroyed.

When carrying out dismantling or destruction of these ABM radars, the following actions shall be accomplished:

(a) Antenna protective covers shall be dismantled or destroyed.

(b) Antennas, antenna structures and ABM radar equipment shall be dismantled and removed from the radar site.

Buildings and facilities remaining after dismantling or destruction of these ABM radars may be used for purposes not inconsistent with the provisions of the Treaty.

Dismantling or destruction of these ABM radars shall be completed no later than accomplishment of the other actions provided for in these Procedures for exchange of the deployment area of an ABM system or its components.

6. Dismantling or destruction of ABM launchers, ABM radars and ABM radar complexes within the area being exchanged shall be carried out in accordance with Section II, paragraphs 3 and 5, and Section III, paragraphs 3, 5 and 9 of these Procedures.

## **STANDING CONSULTATIVE COMMISSION** **AGREED STATEMENT**

### **Regarding Certain Provisions of Articles II, IV, and VI of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Utilization of Air Defense Radars at the Test Ranges Referred to in Article IV of that Treaty**

In accordance with the provisions of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Parties thereto have, within the framework of the Standing Consultative Commission, reached mutual understanding regarding the following:

#### **I. Test Ranges Referred to in Article IV of the Treaty**

1. The test ranges referred to in Article IV of the Treaty are any test ranges at which an ABM system or at least one ABM launcher, regardless of whether or not it contains an ABM interceptor missile, or one ABM radar is located or constructed for purposes of testing.
2. Any other types of weapons or military equipment may also be located at such test ranges for testing according to their mission or for range safety purposes. Such location, testing, or use of these other types of weapons or military equipment, provided it is consistent with the provisions of the Treaty, shall not constitute a basis for considering them ABM system components.
3. The current test ranges referred to in Article IV of the Treaty are those test ranges which each Party had on the date of signature of the Treaty, that is, on May 26, 1972. Both the USA and USSR had on May 26, 1972, and have at the present time, two current test ranges: for the USA in the vicinity of White Sands, New Mexico, and on Kwajalein Atoll and for the USSR in the vicinity of Sary Shagan, Kazakhstan, and on the Kamchatka Peninsula.
4. Each Party may establish test ranges referred to in Article IV of the Treaty as “additionally agreed” and locate therein for testing ABM systems or their components as they are defined in Article II of the Treaty, provided that the establishment of such ranges is consistent with the objectives and provisions of the Treaty and, in particular, with the obligations of each Party provided for in Article I of the Treaty not to deploy ABM systems for a defense of the territory of its country and not to provide a base for such a defense.
5. In the event of establishment of an additional test range by either Party, the Party carrying out such action shall provide, within the framework of the Standing Consultative Commission, notification of the location of such a test range no later than thirty days after the beginning of any construction or assembly work, other than earthwork (excavation), associated with locating or constructing at that test range an ABM launcher or antenna (array), ABM radar antenna structures, or an antenna pedestal support which is not a part of an ABM radar building. After presentation of such notification and, if necessary, clarification in the Standing Consultative Commis-

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sion of any aspects of this notification which are not clear to the Party being notified, the test range being newly established will be considered an “additionally agreed test range,” referred to in Article IV of the Treaty.

## **II. The Term “Tested in an ABM Mode” Used in the Treaty**

1. The term “tested in an ABM mode,” which is used in Article II of the Treaty for defining ABM system components, refers to ABM interceptor missiles, ABM launchers, or ABM radars, which are tested in an ABM mode separately or in conjunction with other ABM system components after the date of signature of the Treaty, that is after May 26, 1972. The term does not refer to components which were tested by the Parties in an ABM mode prior to that date.
2. Testing in an ABM mode is the testing, which, in accordance with the provisions of Articles III and IV of the Treaty regarding locations of ABM systems or their components, is carried out only at test ranges or in an ABM system deployment area, for the purpose of determining the capabilities of an ABM system or its individual components (ABM interceptor missiles, ABM launchers, or ABM radars) to perform the functions of countering strategic ballistic missiles or their elements in flight trajectory.
3. As applied to testing of ABM interceptor missiles, ABM launchers, or ABM radars, the term “strategic ballistic missiles or their elements in flight trajectory,” used in the Treaty, also refers to ballistic target-missiles which, after being launched, are used for testing these ABM system components in an ABM mode, and the flight trajectories of which, over the portions of the flight trajectory involved in such testing, have the characteristics of the flight trajectory of a strategic ballistic missile or its elements.
4. The term “tested in an ABM mode” used in Article II of the Treaty refers to:
  - (a) an ABM interceptor missile if while guided by an ABM radar it has intercepted a strategic ballistic missile or its elements in flight trajectory regardless of whether such intercept was successful or not; or if an ABM interceptor missile has been launched from an ABM launcher and guided by an ABM radar. If ABM interceptor missiles are given the capability to carry out interception without the use of ABM radars as the means of guidance, application of the term “tested in an ABM mode” to ABM interceptor missiles in that event shall be subject to additional discussion and agreement in the Standing Consultative Commission;
  - (b) an ABM launcher if it has been used for launching an ABM interceptor missile;
  - (c) an ABM radar if it has tracked a strategic ballistic missile or its elements in flight trajectory and guided an ABM interceptor missile toward them regardless of whether the intercept was successful or not; or tracked and guided an ABM interceptor missile; or tracked a strategic ballistic missile or its elements in flight trajectory in conjunction with an ABM radar, which is tracking a strategic ballistic missile or its elements in flight trajectory and guiding an ABM interceptor missile toward them or is tracking and guiding an ABM interceptor missile.

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5. The provisions of paragraph 4 of this Section shall be applied taking into account Article VI, subparagraph (a), of the Treaty concerning the obligations of the Parties not to give missiles, launchers, or radars, other than ABM system components, capabilities to counter strategic ballistic missiles or their elements in flight trajectory. The term “tested in an ABM mode” shall not be applied to radars for early warning of strategic ballistic missile attack, or to radars, including phased-array radars, used for the purposes of tracking objects in outer space or as national technical means of verification.

6. The term “tested in an ABM mode” shall not be applied to radars, including phased-array radars, which are constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment.

7. The term “tested in an ABM mode” shall not be applied to a radar, including a phased-array radar, which is not an ABM radar or a radar referred to in paragraphs 5 and 6 of this Section, if strategic ballistic missiles or their elements passed through the field of view of the radar while it was operating in accordance with its mission, and it was not, at that time, performing functions inherent only to an ABM radar, and it was not functioning in conjunction with an ABM radar. In the event that ambiguities arise in the future regarding application of the term “tested in an ABM mode” to individual radars which track strategic ballistic missiles or their elements in flight trajectory, the Parties, in accordance with Article XIII of the ABM Treaty, will consider such questions in the Standing Consultative Commission and resolve them on a mutually acceptable basis.

8. Deployment of radars of a type tested in an ABM mode, except as provided in Articles III and IV of the Treaty, to carry out any functions would be inconsistent with the obligation of each Party not to provide a base for an ABM defense of the territory of its country.

### **III. Utilization of Air Defense Radars at the Test Ranges Referred to in Article IV of the Treaty**

1. Utilization of air defense radars located at or near a test range to carry out air defense functions, including providing for the safety of that range, is not limited by the provisions of the Treaty and is independent of the testing carried out at that range.

2. When air defense components and ABM system components are co-located at a test range, the Parties, in order to preclude the possibility of ambiguous situations or misunderstandings, will refrain from concurrent testing of such air defense components and ABM system components at that range.

3. In utilizing air defense radars as instrumentation equipment at test ranges the Parties will not use such radars to make measurements on strategic ballistic missiles or their elements in flight trajectory.

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## Statement By Commissioner Buchheim\*

*November 1, 1978*

Mr. Commissioner, I would like to make the following statement regarding the Agreed Statement which we have just initialed.

FIRST, in paragraph 6 of Section II of the Agreed Statement of November 1, 1978, the Parties agreed that the term "tested in an ABM mode" shall not be applied to radars, including phased-array radars, which are constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment. With respect to such radars the Parties understand that:

- (a) phased-array radars which have a potential exceeding three million may be located only at the test ranges referred to in Article IV of the ABM Treaty;
- (b) phased-array radars which have a potential not exceeding three million and which make measurements on strategic ballistic missiles or their elements in flight trajectory may be located only at the test ranges referred to in Article IV of the ABM Treaty, or at locations to which strategic ballistic missiles are launched for testing;
- (c) phased-array radars which have a potential not exceeding three million and which do not make measurements on strategic ballistic missiles or their elements in flight trajectory may be located anywhere for instrumentation or other purposes not inconsistent with the ABM Treaty;
- (d) non-phased-array radars may be located anywhere for instrumentation or other purposes not inconsistent with the ABM Treaty.

SECOND, in connection with paragraph 7 of Section II of the Agreed Statement of November 1, 1978, the Parties understand that ABM radars, radars for early warning of strategic ballistic missile attack, radars used for tracking objects in outer space or as national technical means of verification, as well as radars constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment can, when operating in accordance with their missions, perform the function inherent to them of tracking strategic ballistic missiles or their elements in flight trajectory.

In addition to the aforementioned radars, both Parties have other radars, including phased-array radars, intended for various missions. When these radars are operating in accordance with their missions, strategic ballistic missiles or their elements might pass through the fields of view of these radars. The passing of strategic ballistic missiles or their elements through the fields of view of such radars will not be equated with tracking of such missiles by these radars and cannot give grounds for either Party to consider that in these cases the radars are being tested in an ABM mode.

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\* An identical Statement was made by Soviet Commissioner Ustinov.

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If ambiguities arise in the future regarding application of the term “tested in an ABM mode” to individual radars which track strategic ballistic missiles or their elements in flight trajectory, or regarding determination of whether these radars are ABM radars or radars which are not ABM radars, such questions will be subject to consultation in the Standing Consultative Commission in accordance with Article XIII of the ABM Treaty.

THIRD, the Parties, in connection with the Agreed Statement Regarding Certain Provisions of the ABM Treaty, have the common understanding that the Agreed Statement will be used by the Parties in their implementation of those provisions of the ABM Treaty, beginning on the date of initialing of the Agreed Statement by the U.S. and USSR SCC Commissioners, that is, November 1, 1978. Like the statements in connection with paragraphs II.6 and II.7 of the Agreed Statement, this common understanding constitutes a component part of the general understanding reached between the Parties with regard to certain provisions of the ABM Treaty.

## **Standing Consultative Commission**

### **COMMON UNDERSTANDING**

#### **RELATED TO PARAGRAPH 2 OF SECTION III OF THE AGREED STATEMENT OF NOVEMBER 1, 1978, REGARDING CERTAIN PROVISIONS OF ARTICLES II, IV, AND VI OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972, AND THE UTILIZATION OF AIR DEFENSE RADARS AT THE TEST RANGES REFERRED TO IN ARTICLE IV OF THAT TREATY**

In accordance with the provisions of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Parties thereto, in further development of the agreement recorded in paragraph 2 of Section III of the Agreed Statement of November 1, 1978, with a view to precluding the possibility of ambiguous situations at the test ranges referred to in Article IV of the Treaty, have, within the framework of the Standing Consultative Commission, additionally agreed that:

each Party will refrain from launching strategic ballistic missiles to the area of such a test range or from launching ABM interceptor missiles at that test range concurrent with the operation of air defense components located at that range;

in agreeing to the foregoing the Parties recognize the possibility of circumstances — the appearance of a hostile or unidentified aircraft — in which, for the purpose of providing for air defense, a necessity for the operation of air defense components, located at the test range for carrying out air defense functions including providing for range safety, may arise unexpectedly during the launch of a strategic ballistic missile to the area of the test range or during the launch of an ABM interceptor missile at that range. Should such an event occur, the Party which had such a concurrent operation will, as soon as possible, but within thirty days, provide notification to the other Party describing the circumstances of the event. It will, if necessary, on a voluntary basis, also inform the other Party about the event or hold consultations with it within the framework of the Standing Consultative Commission, as provided for in Article XIII of the Treaty and paragraph 4 of the Regulations of the Standing Consultative Commission.

This Common Understanding constitutes a component part of the agreement reached between the Parties with regard to the provisions of paragraph 2 of Section III of the Agreed Statement of November 1, 1978, and does not affect other provisions of that Agreed Statement or the provisions of the common understandings thereto reached by Commissioners in the Standing Consultative Commission on November 1, 1978.

The provisions of this Common Understanding will be used by the Parties in their implementation of the provisions of the Treaty and the Agreed Statement of November 1, 1978, beginning on the date of signature of this Common Understanding, that is, June 6, 1985.

COMMISSIONER,  
UNITED STATES OF AMERICA

COMMISSIONER,  
UNION OF SOVIET SOCIALIST REPUBLICS

**MEMORANDUM OF UNDERSTANDING RELATING TO THE TREATY  
BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF  
SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-  
BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972**

The United States of America, and the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation and Ukraine, hereinafter referred to for purposes of this Memorandum as the Union of Soviet Socialist Republics (USSR) Successor States,

Recognizing the importance of preserving the viability of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, with the aim of maintaining strategic stability,

Recognizing the changes in the political situation resulting from the establishment of new independent states on the territory of the former USSR,

Have, in connection with the Treaty, agreed as follows:

**Article I**

The United States of America, the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation, and Ukraine, upon entry into force of this Memorandum, shall constitute the Parties to the Treaty.

**Article II**

The USSR Successor States shall assume the rights and obligations of the former USSR under the Treaty and its associated documents.

**Article III**

Each USSR Successor State shall implement the provisions of the Treaty with regard to its territory and with regard to its activities, wherever such activities are carried out by that State, independently or in cooperation with any other State.

**Article IV**

For purposes of Treaty implementation:

- (a) the term “Union of Soviet Socialist Republics” shall mean the USSR Successor States;
- (b) the terms “national territory” and “territory of its country” when used to refer to the former USSR shall mean the combined national territories of the USSR Successor States, and the term “periphery of its national territory” when used to refer to the former USSR shall mean the periphery of the combined national territories of those States; and
- (c) the term “capital” when used to refer to the capital of the Union of Soviet Socialist Republics in Article III of the Treaty and the Protocol thereto of July 3, 1974, shall continue to mean the city of Moscow.

**Article V**

A USSR Successor State or USSR Successor States may continue to use any facility that is subject to the provisions of the Treaty and that is currently located on the territory of any State that is not a Party to the Treaty, with the consent of such State, and provided that the use of such facility shall remain consistent with the provisions of the Treaty.

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#### **Article VI**

The USSR Successor States shall collectively be limited at any one time to a single anti-ballistic missile (ABM) system deployment area and to a total of no more than fifteen ABM launchers at ABM test ranges, in accordance with the provisions of the Treaty and its associated documents, including the Protocols of July 3, 1974.

#### **Article VII**

The obligations contained in Article IX of the Treaty and Agreed Statement “G” Regarding the Treaty shall not apply to transfers between or among the USSR Successor States.

#### **Article VIII**

The Standing Consultative Commission, hereinafter referred to as the Commission, shall function in the manner provided for by the Treaty and the Memorandum of Understanding Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding the Establishment of a Standing Consultative Commission of December 21, 1972, as well as by the Regulations of the Commission, which shall reflect the multilateral character of the Treaty and the equal legal status of the Parties in reaching decisions in the Commission.

#### **Article IX**

1. This Memorandum shall be subject to ratification or approval by the signatory States, in accordance with the constitutional procedures of those States.
2. The functions of the depositary of this Memorandum shall be exercised by the Government of the United States of America.
3. This Memorandum shall enter into force on the date when the Governments of all the signatory States have deposited instruments of ratification or approval of this Memorandum and shall remain in force so long as the Treaty remains in force.
4. Each State that has ratified or approved this Memorandum shall also be bound by the provisions of the First Agreed Statement of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Second Agreed Statement of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972.

DONE at New York City on September 26, 1997, in five copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:  
Madeleine Albright

FOR THE REPUBLIC OF BELARUS:  
I. Antonovich

FOR THE REPUBLIC OF KAZAKHSTAN:  
K. Tokayev

FOR THE RUSSIAN FEDERATION:  
Y. Primakov

FOR UKRAINE:  
H. Udovenko

**STANDING CONSULTATIVE COMMISSION**

**FIRST AGREED STATEMENT RELATING TO THE TREATY BETWEEN  
THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET  
SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-  
BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972**

In connection with the provisions of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Parties to the Treaty have, within the framework of the Standing Consultative Commission, reached agreement on the following:

1. Land-based, sea-based, and air-based interceptor missiles, interceptor missile launchers, and radars, other than anti-ballistic missile (ABM) interceptor missiles, ABM launchers, or ABM radars, respectively, shall be deemed, within the meaning of paragraph (a) of Article VI of the Treaty, not to have been given capabilities to counter strategic ballistic missiles or their elements in flight trajectory and not to have been tested in an ABM mode, if, in the course of testing them separately or in a system:

(a) the velocity of the interceptor missile does not exceed 3 km/sec over any part of its flight trajectory;

(b) the velocity of the ballistic target-missile does not exceed 5 km/sec over any part of its flight trajectory; and

(c) the range of the ballistic target-missile does not exceed 3,500 kilometers.

2. The Parties have additionally agreed on reciprocal implementation of the confidence-building measures set forth in the Agreement on Confidence-Building Measures Related to Systems to Counter Ballistic Missiles Other Than Strategic Ballistic Missiles of September 26, 1997.

3. This Agreed Statement shall enter into force simultaneously with entry into force of the Memorandum of Understanding of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972.

DONE at New York City on September 26, 1997, in five copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:  
Stanley Riveles

FOR THE REPUBLIC OF BELARUS:  
S. Agurtsou

FOR THE REPUBLIC OF KAZAKHSTAN:  
K. Zhanbatyrov

FOR THE RUSSIAN FEDERATION:  
V. Koltunov

FOR UKRAINE:  
O. Rybak

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**COMMON UNDERSTANDINGS RELATED TO THE FIRST AGREED  
STATEMENT OF SEPTEMBER 26, 1997, RELATING TO THE TREATY  
BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF  
SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-  
BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972**

**I**

The term “interceptor missile,” as used in the First Agreed Statement of September 26, 1997, shall refer to any missile subject to the provisions of paragraph (a) of Article VI of the Treaty if such a missile:

(a) has been developed by a Party as a missile to counter ballistic missiles other than strategic ballistic missiles; or

(b) has been declared by a Party as a missile to counter ballistic missiles other than strategic ballistic missiles; or

(c) has been tested by a Party even once with the use of a ballistic target-missile.

With respect to subparagraphs (a), (b), or (c), such a missile shall be considered an interceptor missile in all its launches.

**II**

The provisions of paragraph 1 of the First Agreed Statement of September 26, 1997, do not supersede or amend any provision of the Agreed Statement of November 1, 1978, and do not alter the meaning of the term “tested in an ABM mode” as that term is used in the Treaty, including the Agreed Statement of November 1, 1978.

**III**

The Parties have agreed that, for the purposes of the First Agreed Statement of September 26, 1997, the velocity of an interceptor missile as well as the velocity of a ballistic target-missile shall be determined in an earth-centered coordinate system fixed in relation to the Earth.

**IV**

The Parties have agreed that, for the purposes of the First Agreed Statement of September 26, 1997, the velocity of space-based interceptor missiles shall be considered to exceed 3 km/sec.

These Common Understandings shall be considered an attachment to the First Agreed Statement of September 26, 1997, and shall constitute an integral part thereof.

## STANDING CONSULTATIVE COMMISSION

### SECOND AGREED STATEMENT RELATING TO THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI- BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972

In connection with the provisions of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Parties to the Treaty,

Expressing their commitment to strengthening strategic stability and international security,

Emphasizing the importance of further reductions in strategic offensive arms,

Recognizing the fundamental significance of the Treaty for the above objectives,

Recognizing the necessity for effective systems to counter ballistic missiles other than strategic ballistic missiles,

Considering it their common task to preserve the Treaty, prevent its circumvention and enhance its viability,

Relying on the following principles that have served as a basis for reaching this agreement:

- the Parties are committed to the Treaty as a cornerstone of strategic stability;
- the Parties must have the option to establish and to deploy effective systems to counter ballistic missiles other than strategic ballistic missiles, and such activity must not lead to violation or circumvention of the Treaty;
- systems to counter ballistic missiles other than strategic ballistic missiles may be deployed by each Party which will not pose a realistic threat to the strategic nuclear force of another Party and which will not be tested to give such systems that capability;
- systems to counter ballistic missiles other than strategic ballistic missiles will not be deployed by the Parties for use against each other; and
- the scale of deployment — in number and geographic scope — of systems to counter ballistic missiles other than strategic ballistic missiles by any Party will be consistent with programs for ballistic missiles other than strategic ballistic missiles confronting that Party;

Have, within the framework of the Standing Consultative Commission, with respect to systems to counter ballistic missiles other than strategic ballistic missiles with interceptor missiles whose velocity exceeds 3 km/sec over any part of their flight trajectory, hereinafter referred to as systems covered by this Agreed Statement, reached agreement on the following:

1. Each Party undertakes that, in the course of testing, separately or in a system, land-based, sea-based, and air-based interceptor missiles, interceptor missile launchers, and radars, of systems covered by this Agreed Statement, which are not anti-ballistic missile (ABM) interceptor missiles, ABM launchers, or ABM radars, respectively:

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(a) the velocity of the ballistic target-missile will not exceed 5 km/sec over any part of its flight trajectory; and

(b) the range of the ballistic target-missile will not exceed 3,500 kilometers.

2. Each Party, in order to preclude the possibility of ambiguous situations or misunderstandings related to compliance with the provisions of the Treaty, undertakes not to develop, test, or deploy space-based interceptor missiles to counter ballistic missiles other than strategic ballistic missiles, or space-based components based on other physical principles, whether or not part of a system, that are capable of substituting for such interceptor missiles.

3. In order to enhance confidence in compliance with the provisions of the Treaty, the Parties shall implement the provisions of the Agreement on Confidence-Building Measures Related to Systems to Counter Ballistic Missiles Other Than Strategic Ballistic Missiles of September 26, 1997, hereinafter referred to as the Confidence-Building Measures Agreement, with respect to systems covered by this Agreed Statement and not subject to the Confidence-Building Measures Agreement on the date of its entry into force. Each such system shall become subject to the provisions of the Confidence-Building Measures Agreement no later than 180 days in advance of the planned date of the first launch of an interceptor missile of that system. All information provided for in the Confidence-Building Measures Agreement shall initially be provided no later than 30 days after such a system becomes subject to the provisions of the Confidence-Building Measures Agreement.

4. In order to ensure the viability of the Treaty as technologies related to systems to counter ballistic missiles other than strategic ballistic missiles evolve, and in accordance with Article XIII of the Treaty, the Parties undertake to hold consultations and discuss, within the framework of the Standing Consultative Commission, questions or concerns that any Party may have regarding activities involving systems covered by this Agreed Statement, including questions and concerns related to the implementation of the provisions of this Agreed Statement.

5. This Agreed Statement shall enter into force simultaneously with entry into force of the Memorandum of Understanding of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972.

DONE at New York City on September 26, 1997, in five copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:  
Stanley Riveles

FOR THE REPUBLIC OF BELARUS:  
S. Agurtsou

FOR THE REPUBLIC OF KAZAKHSTAN:  
K. Zhanbatyrov

FOR THE RUSSIAN FEDERATION:  
V. Koltunov

FOR UKRAINE:  
O. Rybak

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**COMMON UNDERSTANDINGS RELATED TO THE SECOND AGREED  
STATEMENT OF SEPTEMBER 26, 1997, RELATING TO THE TREATY  
BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF  
SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-  
BALLISTIC MISSILE SYSTEMS OF MAY 26, 1972**

**I**

The term “interceptor missile,” as used in the Second Agreed Statement of September 26, 1997, shall refer to any missile subject to the provisions of paragraph (a) of Article VI of the Treaty if such a missile:

(a) has been developed by a Party as a missile to counter ballistic missiles other than strategic ballistic missiles; or

(b) has been declared by a Party as a missile to counter ballistic missiles other than strategic ballistic missiles; or

(c) has been tested by a Party even once with the use of a ballistic target-missile.

With respect to subparagraphs (a), (b), or (c), such a missile shall be considered an interceptor missile in all its launches.

**II**

The Parties have agreed that, for the purposes of the Second Agreed Statement of September 26, 1997, the velocity of an interceptor missile as well as the velocity of a ballistic target-missile shall be determined in an earth-centered coordinate system fixed in relation to the Earth.

**III**

The Parties have agreed that for the purposes of the Second Agreed Statement of September 26, 1997, the velocity of space-based interceptor missiles shall be considered to exceed 3 km/sec.

**IV**

For systems to counter ballistic missiles other than strategic ballistic missiles with interceptor missiles whose velocity exceeds 3 km/sec over any part of their flight trajectory, that become subject to the Confidence-Building Measures Agreement in accordance with paragraph 3 of the Second Agreed Statement of September 26, 1997, the Parties understand that, in connection with the provisions of paragraph 2(b) of Section IV of the Confidence-Building Measures Agreement, detailed information on such systems shall be provided in a form and scope as agreed upon by the Parties.

These Common Understandings shall be considered an attachment to the Second Agreed Statement of September 26, 1997, and shall constitute an integral part thereof.

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## **AGREEMENT ON CONFIDENCE-BUILDING MEASURES RELATED TO SYSTEMS TO COUNTER BALLISTIC MISSILES OTHER THAN STRATEGIC BALLISTIC MISSILES**

The States that have signed this Agreement, hereinafter referred to as the Parties,

Desiring to promote reciprocal openness, greater trust between the Parties, and the preservation of strategic stability,

Declaring their intention to implement, on a reciprocal basis, confidence-building measures with respect to systems to counter ballistic missiles other than strategic ballistic missiles,

Have agreed as follows:

### **I. General Provisions**

1. Systems subject to this Agreement shall be: for the United States of America — the Theater High-Altitude Area Defense (THAAD) System and the Navy Theater-Wide Theater Ballistic Missile Defense Program, known to the other Parties by the same names; for the Russian Federation — the S-300V system, known to the United States of America as the SA-12 system; for the Republic of Belarus — the S-300V system, known to the United States of America as the SA-12 system; for Ukraine — the S-300V system, known to the United States of America as the SA-12 system; and other systems as agreed upon by the Parties in the future.

2. The Parties shall conduct an initial exchange of information and notifications, as provided for in this Agreement, no later than 90 days after entry into force of this Agreement, reflecting the status as of the date of its entry into force, and update this information annually, unless otherwise agreed. Information shall be updated reflecting the status as of January 1 of each year and provided no later than April 1 of each year.

### **II. Notifications**

1. Each Party shall provide notifications to the other Parties of test ranges and other test areas where launches of interceptor missiles of systems subject to this Agreement will take place. Notifications of test ranges and other test areas shall include the names of ranges (test areas) and their locations. Such notifications shall be provided either within 30 days after entry into force of this Agreement, or no later than 90 days in advance of the first launch of an interceptor missile of a system subject to this Agreement at each test range (test area).

2. Each Party shall provide notification to the other Parties of each launch of an interceptor missile of systems subject to this Agreement, if during that launch a ballistic target-missile is used. In this connection:

(a) an interceptor missile launch notification shall specify the name of the test range (test area) where the interceptor missile launch will take place; the type (designation) of the interceptor missile; the planned date of the interceptor missile launch; the planned launch point of the interceptor missile (geographic coordinates; for air-based systems the geographic coordinates of the projection of the planned launch point of the interceptor missile onto the Earth's surface shall be specified); the planned launch point of the ballistic target-missile (geographic coordinates);

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(b) each interceptor missile launch notification shall be provided no later than 10 days in advance of the planned date of the interceptor missile launch and shall be effective for seven days beginning with the planned date of that launch; and

(c) if the launch of the interceptor missile will not occur or has not occurred within the specified 7-day period, the Party that planned to carry out the launch of the interceptor missile shall provide a notification thereof no later than 24 hours after the expiration of the 7-day period. Such a notification shall state that the interceptor missile launch has not occurred and shall either specify a new launch date, which will establish the beginning of a new 7-day period, or state that a notification of a new launch date will be made in accordance with the procedure specified in subparagraph (b) of this paragraph.

### **III. Demonstrations of Systems and Observations of Tests**

Any Party may on a voluntary basis arrange, for any other Party or Parties, a demonstration of its systems or their components subject to this Agreement or an observation of their tests. In each specific case, the participating Parties shall agree in advance on the purpose of, and the arrangements for, such demonstrations and observations.

### **IV. Assurances**

Each Party shall provide assurances that it will not deploy systems subject to this Agreement in numbers and locations so that these systems could pose a realistic threat to the strategic nuclear force of another Party. The measures used to provide such assurances shall include:

1. Each Party shall provide to the other Parties, in a form and scope as agreed upon by the Parties, an assessment of the programs with respect to the development, testing and deployment of ballistic missiles, other than strategic ballistic missiles, confronting that Party.
2. For each of its systems subject to this Agreement, each Party shall provide the following information:
  - (a) the name, type (designation), and basing mode of the system as well as of its interceptor missiles, launchers, and associated radars;
  - (b) the general concept of operation; the status of plans and programs; and, in addition, for systems in testing, the number of systems it plans to possess; the information shall be provided in a form and scope as agreed upon by the Parties;
  - (c) the class and type of basing platform:
    - (i) for land-based systems: the number of launchers in a battalion;
    - (ii) for sea-based systems: the class and type of each ship, and the number of launchers on a ship of that class capable of launching interceptor missiles of each type;
    - (iii) for air-based systems: the type of each aircraft, and the number of interceptor missiles each aircraft is capable of carrying;
  - (d) the number of interceptor missiles of a fully loaded launcher.

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3. For components of each of its systems subject to this Agreement, each Party shall provide the following information:

- (a) for a completely assembled interceptor missile: the number of stages, the length, the maximum diameter, the type of propellant (solid or liquid), maximum velocity demonstrated during launches, and the length and diameter of the interceptor missile launch canister;
- (b) for the interceptor missile launcher: the maximum number of interceptor missiles of a fully loaded launcher; and
- (c) for the radar: the frequency band (in designations adopted by the International Telecommunication Union) and potential, expressed as a value that is not exceeded by the radar's potential. The potential of a radar shall mean the product of its mean emitted power in watts and its antenna area in square meters.

#### **V. Additional Voluntary Measures**

Each Party may provide on a voluntary basis any other information or any other notifications not specified elsewhere in this Agreement. The topics, amount, and time frame for such information and notifications shall be such as each Party determines.

#### **VI. Implementation of the Agreement**

1. To promote the objectives and implementation of the provisions of this Agreement, the Parties, within the framework of the Standing Consultative Commission established in accordance with the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, shall consider:

- (a) issues concerning implementation of the obligations assumed under this Agreement, as well as related situations which may be considered ambiguous; and
- (b) amendments to the provisions of this Agreement and other possible proposals on further increasing its viability.

2. The Parties shall use the Nuclear Risk Reduction Center channels or the equivalent government-to-government communications links for providing the notifications and for exchanging the information provided for in Sections II, IV and V of this Agreement.

#### **VII. Confidentiality**

Each Party undertakes not to release to the public the information provided pursuant to this Agreement except with the express consent of the Party that provided such information.

#### **VIII. Entry into Force and Duration**

This Agreement shall enter into force simultaneously with entry into force of the First Agreed Statement of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Second Agreed Statement of September 26, 1997, Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and shall remain in force so long as either of those Agreed Statements remains in force.

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DONE at New York City on September 26, 1997, in five copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:

Stanley Riveles

FOR THE REPUBLIC OF BELARUS:

S. Agurtsou

FOR THE REPUBLIC OF KAZAKHSTAN:

K. Zhanbatyrov

FOR THE RUSSIAN FEDERATION:

V. Koltunov

FOR UKRAINE:

O. Rybak

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September 26, 1997  
New York City

**STATEMENT BY THE UNITED STATES OF AMERICA ON PLANS WITH  
RESPECT TO SYSTEMS TO COUNTER BALLISTIC MISSILES OTHER  
THAN STRATEGIC BALLISTIC MISSILES\***

The United States of America states that, with regard to systems to counter ballistic missiles other than strategic ballistic missiles, it has no plans:

- (a) before April 1999 to test, against a ballistic target-missile, land-based, sea-based or air-based interceptor missiles whose velocity exceeds 3 km/sec over any part of their flight trajectory;
- (b) to develop such systems with interceptor missiles whose velocity over any part of their flight trajectory exceeds 5.5 km/sec for land-based and air-based systems or 4.5 km/sec for sea-based systems; or
- (c) to test such systems against ballistic target-missiles with multiple independently targetable reentry vehicles or against reentry vehicles deployed or planned to be deployed on strategic ballistic missiles.

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\* Identical statements were made by representatives of Belarus, Kazakhstan, Russia, and Ukraine.