

May 18, 1993

**STATEMENT BY THOMAS GRAHAM, JR., ACTING DIRECTOR
UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY
BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE ON
THE SECOND STRATEGIC ARMS REDUCTION TREATY
STATEMENT FOR THE RECORD**

Mr. Chairman, members of the committee, I am pleased to appear before you to testify in support of the START II Treaty. Last week, Secretary Christopher emphasized the importance the President places on START II ratification, and explained how START II fits into the broader context of U.S.-Russian relations. Today, Ambassador Brooks will provide a detailed discussion of the treaty provisions and explain how START II benefits both the US and Russia.

Let me take this opportunity to thank Ambassador Brooks and all those individuals who made up the team that completed this historic agreement, as well as the experts in ACDA and elsewhere in the US government who so ably supported them in this endeavor.

I will focus my remarks on the relationship of START II to our other arms control objectives. Specifically, I will address the strategic and legal relationship between START I and START II; the status of START I ratification and implementation; the relationship between the START Treaties and our efforts to assist in ensuring the safety, security and dismantlement of nuclear weapons in the former Soviet Union; the verifiability of START II; and the prospects for START II ratification in Russia.

Relationship of START II to START I:

Strategic Relationship: Most importantly, START II continues the process of stabilizing reductions initiated by START I. It goes beyond START I in dramatically increasing the stability of the remaining arsenals of Russia and the US by prohibiting heavy and multiple warhead ICBMs, traditionally considered to be the most destabilizing strategic weapons. In addition, START II serves as a vehicle for rapidly reducing the strategic arsenal of the former Soviet Union in a time of great change and uncertainty. Furthermore, the commitment of the US and Russia to the START II reductions will serve our non-proliferation interests well by helping to allay the security concerns of the other nations emerging from the former Soviet Union, and by demonstrating our mutual commitment to deep reductions in our respective nuclear arsenals.

Legal relationship: As a consequence of the Lisbon Protocol which established the successors to the Soviet Union for the purpose of the START I Treaty, START I is a multilateral Treaty among the United States, Belarus, Kazakhstan, Russia and Ukraine. In contrast, START II is a bilateral Treaty between the United States and Russia. These two treaties are independent agreements which will be in force simultaneously. START II, however, relies explicitly on START I definitions and verification procedures; by its own terms START II cannot be implemented until START I enters into force. It will remain in effect as long as START I does.

The reason START II is bilateral, and does not require the participation of the other START I Parties, is that the first stage of START II reductions (to a level of 3800-4250 total warheads for both Parties) is to be completed by seven years after entry into force of START I. At this point, in accordance with legally binding letters associated with the Lisbon Protocol, all deployed strategic offensive arms must have been eliminated from the territories of Belarus, Kazakhstan and Ukraine. Thus, of all the START I Parties, only Russia and the United States will have deployed strategic nuclear weapons remaining on their territories by the time the first phase of START II reductions must be completed.

Of course, START I and START II implementation will have to be coordinated, e.g., in most instances, inspection teams may verify both treaties simultaneously. We believe practical solutions to any problems related to implementation of the two treaties will normally be found in the context of the two implementation fora: the Bilateral Implementation Commission (BIC) established by START II, and the Joint Compliance and Inspection Commission (JCIC), the implementing body for START I.

State of Play of START I Implementation:

Ratification in the Former Soviet Union: Since START II cannot enter into force until START I has been brought into force, it may be useful for me to review the current status of the START I ratification process.

The Russian parliament consented to START I ratification, but imposed two conditions. Russia will not exchange instruments of ratification for the START I Treaty until 1) Belarus, Kazakhstan, and Ukraine each ratify START and accede to the NPT as non-nuclear weapon states; and 2) these three states together with Russia conclude an agreement on the modalities of implementation of the Treaty.

The legislatures of Kazakhstan and Belarus also consented to the ratification of START. In addition, the legislature of Belarus approved accession to the NPT as a non-nuclear weapon state, although Belarus has not yet taken the formal step of depositing an instrument of accession with one of the depository states. We anticipate the Kazakhstani legislature will consider and consent to NPT accession either this summer or in the early fall.

We now await Ukraine's action on START I and the NPT, and Kazakhstan's action on the NPT. Once both Ukraine and Kazakhstan have fulfilled these commitments, Belarus has formally acceded to the NPT, and a four Party implementation agreement is agreed to Russia's satisfaction, the Parties will be able to exchange instruments of ratification and the START I Treaty will come into force.

Ukraine and START/NPT: The situation in Ukraine, as you know, is complex. The Ukrainian parliament has begun hearings on the START I Treaty and, while we remain optimistic that Ukraine will ratify the START Treaty, there are some in the Rada who are urging delay in joining the NPT or who are suggesting the Ukraine join the NPT as a nuclear-weapon state.

Ukrainian delay on both treaties stems from several Ukrainian concerns, primarily security concerns about Russia (including its long-term stability), but also economic concerns related to the cost of implementation of START, and differences with Russia over the division of the assets and liabilities of the former Soviet Union. In particular, these tensions in Ukrainian-Russian relations have led to controversies between them over the issue of the ownership of the nuclear weapons located in Ukraine, including the economic value of the fissile material contained in those weapons.

With these Ukrainian concerns in mind, the US is working constructively to encourage completion of Ukraine's parliamentary action on START and fulfillment of Ukraine's Lisbon Protocol commitment to adhere to the NPT as a non-nuclear weapon state in the shortest possible time. Specifically:

- We have sought to meet Ukraine's desires for security assurances from the US in a manner consistent with longstanding US policy and interests. Both Russia and the United Kingdom, as the other NPT depository states, are prepared to offer similar assurances.
- We have offered Ukraine financial and technical assistance to help offset the costs associated with weapons dismantlement, and thus to facilitate the safe and secure transfer of nuclear warheads to Russian territory for dismantlement. We are offering Ukraine similar assistance in eliminating strategic delivery systems. This includes our commitment of at least \$175 million in Nunn-Lugar funds, most of which will be dedicated specifically to strategic nuclear delivery vehicle (SNDV) dismantlement, consistent with US law. However, we have stated that we will not provide any SNDV dismantlement assistance until Ukraine has ratified START and acceded to the NPT as a non-nuclear weapon state.
- We have assured Ukraine that we will not implement a contract with Russia to purchase highly enriched uranium (HEU) unless Russia agrees with Ukraine, Belarus and Kazakhstan on an equitable sharing of the proceeds from the sale. The Russians understand and accept this approach.

Most important, we have sought to make clear in a variety of ways that Ukraine's basic security in the

future lies with its full integration into European political and economic institutions and processes as a democratic and free-market state -- and also made plain that this cannot come to fruition unless Ukraine accedes to the NPT as a non-nuclear weapon state.

START I Implementation and the JCIC:

The Lisbon Protocol designates the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation and Ukraine as the successor states of the former Soviet Union for purposes of the START I Treaty and obligates them to make arrangements as are required to implement the Treaty's limits and restrictions.

Belarus, Kazakhstan, Russia and Ukraine are to date striving to live up to their Lisbon Protocol obligations with respect to implementation. All four Parties are participating in the Joint Compliance and Inspection Commission and have approved revised JCIC procedures reflecting the participation of five Treaty partners where there were originally only two. Under the revised JCIC procedures, all agreements reached in the JCIC will be binding on all the START Parties, thereby ensuring that all five Parties are governed by the same Treaty regime.

The JCIC is charged with ensuring the smooth implementation of the START I Treaty. To that end, the START Treaty provides for the JCIC to meet in advance of entry-into-force. Thus far, the JCIC has met five times. These meetings demonstrate that the five Parties are capable of working together to implement the Treaty. For example, the JCIC oversaw the implementation of certain activities which the START Treaty required to be completed prior to entry-into-force, such as carrying out technical exhibitions of all strategic offensive arms of both the United States and the former Soviet Union. In addition, the JCIC provided a forum for making minor corrections to certain Treaty documents such as the Inspection Protocol and data in the Memorandum of Understanding. Finally, the JCIC drafted and agreed upon a number of supplementary provisions, thus fulfilling the START Treaty obligations to agree on, for example, procedures governing the provision of equipment to play back telemetry tapes.

These agreements and early implementation activities --some completed, others in progress -- are the result of the cooperative efforts of all the Parties. They give us confidence that -- as the Senate mandated in its resolution of Ratification of START I -- the Parties will be fully prepared to begin full implementation immediately upon the Treaty's entry-into-force.

Naturally, the emergence of new sovereign states has created practical problems which must be resolved, such as setting up new continuous communication channels between the United States and the non-Russian Parties for exchanging Treaty-related notifications. But neither the United States nor our treaty partners believe that such problems are insurmountable, and we are working together to solve them.

Some of the START I Parties have requested modification of or relief from certain treaty provisions which in their view do not adequately reflect the new circumstances of five Treaty Parties. In general, the US has been willing to consider changes to implementing procedures on their merits, when modification can be accomplished by policy commitments by the Parties or, if appropriate, by viability and effectiveness changes. However, we have not been willing to consider any changes to the basic obligations of the Treaty, nor would we change substantive rights and obligations under START I without going through the formal amendment process.

For example, Belarus, Kazakhstan and Ukraine have each requested, and we have agreed to, the establishment of additional START Points of Entry (POEs) so that each may have a POE on its territory.

Similarly, after consulting with this Committee, we are currently discussing in the JCIC the proposal of Belarus, Kazakhstan and Ukraine not to pay the costs incurred by visiting teams of US START inspectors on their territories. These countries point out that, because they do not plan to conduct many, if any, inspections on US territory, the treaty rule of "inspected Party pays" would result in an inequitable financial burden on them. The US made a proposal to address this financial concern, and Belarus, Kazakhstan and Ukraine made a counter-proposal which we are examining. Our preliminary

assessment is that the Parties are not too far apart.

While we are to date pleased with the success of the implementation process occurring in the JCIC, we remain mindful of the Senate condition requiring the President to consult with the Senate if, by ten days prior to the exchange of instruments of ratification, the four Parties have not made arrangements to implement the Treaty.

Safety, Security and Dismantlement (SSD): Following the aborted coup in August 1991, the US became concerned about the safety and security of nuclear weapons located in what was then the Soviet Union. As you well know, Congress in 1991 granted the President authority to transfer up to \$400 million of certain FY92 defense funds to assist in the safe and secure dismantlement of weapons of mass destruction and to help prevent the proliferation of such weapons in the states of former Soviet Union (FSU). Last year Congress granted an additional \$400 million in authority to transfer FY93 Defense appropriations, raising the total to \$800 million. The Administration has requested \$400 million for these purposes in FY94. The Secretary of State has certified Belarus, Kazakhstan, the Russian Federation and Ukraine as eligible for assistance under the Nunn-Lugar programs.

Our activities in the SSD arena complement, but are not directly linked to, the implementation of arms control agreements. Discussions of START implementation and of SSD take place in distinct fora.

I know that Ambassador Goodby is keeping this committee informed about his SSD activities. Rather than describe our SSD activities across the board, I will focus instead on those areas of SSD that relate most closely to the implementation of the START treaties:

- **Strategic Nuclear Delivery Vehicle (SNDV) Dismantlement:** The US and Russia have agreed on a strategic nuclear delivery vehicle (SNDV) implementing agreement which will provide \$130 million in assistance to help accelerate Russian SNDV dismantlement pursuant to START I. The US also plans to work out an agreement to assist Ukraine with SNDV dismantlement, and Ambassador Goodby plans to meet with Ukrainian officials soon to address this and other aspects of our Nunn-Lugar assistance program with Ukraine. However, we will not provide assistance for SNDV dismantlement until Ukraine ratifies START and accedes to the NPT as a non-nuclear weapon state. The US plans to discuss SNDV dismantlement with Kazakhstan as well, for which funds have been set aside. We have also offered to Belarus assistance pertaining to dismantlement, e.g., missile base cleanup.

Government-to-Government Communications Links (GGCL):

Washington and Moscow are linked by a direct communications link, known as the Nuclear Risk Reduction Centers (NRRCs), for the rapid transmission of INF and START notifications.

Through SSD, the US has agreed to provide Belarus a similar communications link, which we hope will be operational by late summer. We are close to concluding an agreement with Ukraine on providing assistance in establishing a Government-to-Government Communications link, and we have had preliminary discussions with Kazakhstan on the same matter.

Fissile Material Issues: The US and Russia are negotiating a contract for the US purchase of highly enriched uranium from dismantled FSU nuclear weapons. As I mentioned earlier, we will not implement the contract with Russia to purchase HEU unless Russia agrees with Ukraine and the other states with nuclear weapons located on their territories on an equitable sharing of the proceeds from the sale. The US is also providing Russia with design and construction assistance for a fissile material storage facility, and has concluded an implementing agreement to provide its initial equipment. Finally, an agreement which will enhance Russia's nuclear material control and accounting procedures has also been agreed. Neither of these agreements have been signed.

Verifiability of START II:

In accordance with the provisions of Section 37 of the Arms Control and Disarmament Act, I have

reported in detail to the Congress on the verifiability of the START II Treaty in a report dated April 16, 1993. I will briefly summarize the key points of that report, which concludes that the START II Treaty is effectively verifiable.

Verification of the START II Treaty is based in large part upon the capabilities and provisions designed to verify START I, and mostly reflects the same assumptions and considerations. As with START I, the United States will rely primarily on data derived from national technical means (NTM) to verify compliance with the numerical limits and other constraints in the START II Treaty. Since US intelligence cannot, in many cases, effectively monitor treaty limitations solely through NTM, a combination of START I and START II definitions, counting rules, operational constraints, notifications, on-site inspections (OSI), and prohibitions establishes a framework that facilitates verification by NTM.

The two central elements of START II are the elimination of deployed MIRVed ICBMs and elimination of all heavy ICBMs (deployed and non-deployed) by January 1, 2003 (at the latest), and deeper reductions in the same categories of strategic offensive arms and aggregate deployed warheads as under START I. In addition, where the START I heavy bomber warhead attribution rules discounted bomber warheads significantly, START II rules attribute to heavy bombers the numbers of nuclear weapons for which they are specified and exhibited to be actually equipped. Conceptually, the same capabilities and measures that provide for effective verification of START I limits on launchers, missiles, and attributable warheads, for the most part, will be effective in verifying the lower limits in the same categories of items in START II.

Nevertheless, there are differences between the two treaties that add to, or modify, the verification challenges. To meet these challenges, the START II Treaty provides for additional inspections, exhibitions, and constraints.

Under the START II Treaty, the Russian Federation will be required to eliminate all of its heavy ICBMs and their launch canisters, and to eliminate or convert all of its heavy ICBM launchers. The Russian Federation also will be required to eliminate or, in certain cases, download to one warhead all other deployed MIRVed ICBMs, while reducing the aggregate numbers of its strategic offensive weapons systems and deployed warheads to much lower levels. The START II verification regime requires that this be accomplished in a manner that will allow the eliminations, reductions, and conversions of declared items to be confirmed by NTM and/or on-site inspection.

In sum, given the above considerations, the administration judges the START II Treaty to be effectively verifiable.

Prospects for START II Ratification in Russia:

Let me say just a few words about the prospects for START II ratification in Russia. START II was submitted to the Supreme Soviet in early March. It is possible that Russia will ratify START II by this summer although this outcome may depend on Ukraine ratifying START I and Ukraine and Kazakhstan acceding to the NPT as non-nuclear weapon states. While consideration of the Treaty may be delayed by the domestic political tensions between the Yeltsin government and the legislature, at present we do not believe this will result ultimately in failure of the Treaty to be ratified. Of course, as I have previously discussed, START II cannot enter into force until START I has been brought into force.

Although there are some Russian critics of the terms of the START II Treaty, we do not believe that such criticism will, in the final analysis, result in a negative vote on the Treaty in the Russian legislature. It is important to note that the Treaty appears to have the strong support of the Russian Ministry of Defense as well as the other relevant agencies of government; the main critics are parliamentarians or individuals outside of the government.

This criticism reflects a general concern that the Treaty represents a loss of superpower status on the part of Russia. More specifically, Russian critics point to two sets of issues: Strategic issues such as a perceived US force structure advantage, the requirement that Russia eliminate its SS-18 heavy ICBMs,

and concern about whether the US will continue to abide by the ABM Treaty; and practical concerns about implementation including the financial and environmental costs of weapons eliminations and force structure adjustments.

As we and the Russian government worked out the START II text, we worked together to find practical solutions that met Russian interests while still remaining consistent with basic US goals. As a result, the Treaty, like all sound treaties, is a balanced one which is in the interests of both Parties. We are confident that, when their review of the START II Treaty is complete, the Russian people and the Russian parliament will recognize that the strategic, political and economic benefits to Russia of the Treaty are significant and outweigh any burdens associated with implementation.

Specifically, we are confident that the Russian people will see that:

- START II reflects a new cooperative relationship between the United States and Russia and allows each to avoid the future burden of large strategic arsenals.
- START II sets aggregate limits on actual deployed strategic warheads on each side, unlike START I, which provided for equal aggregate limits on "accountable" nuclear warheads. This will likely result in rough parity in forces without requiring Russia to invest vast sums in strategic modernization.
- Under START I, the United States could continue to deploy approximately 8500 nuclear warheads -- several thousand more strategic weapons than Russia -- and might have done so. In practice, Russia probably would have deployed several thousand fewer weapons due to: 1) the loss of strategic forces currently based in Ukraine and Kazakhstan; 2) START I's heavy discounting of nuclear bombs and short-range missiles on heavy bombers, which favors US force plans; and 3) economic constraints on Russian strategic modernization plans. Even in late 1991, then-President Gorbachev announced that the former Soviet Union would deploy only 5000 of the 6000 accountable weapons it was allowed under START I. Furthermore, Russia would need to invest significant resources to maintain modern strategic forces at or near START levels in the long term, especially given the loss of production facilities in Ukraine.
- START II moves both Russia and the United States toward much more stabilizing force structures. This is good for strategic stability and will improve political relationships with other countries.

Conclusion:

START II enhances strategic stability and mandates a dramatic reduction in the strategic offensive arsenals of Russia and the US, significantly below the levels called for under START. It will ultimately result in a reduction of strategic arsenals by about two-thirds from current levels, to a level of 3000-3500 total warheads for each Party.

The dissolution of the Soviet Union and the movement toward democracy in the states of the former Soviet Union created the political climate which enabled us to achieve internal consensus on committing to this deep reduction of our nuclear arsenal. Without the keystone of START I, it would have been impossible to capitalize on that consensus to develop and negotiate this breathtaking treaty in such a short period of time.

Despite the uncertainties of political change in Russia --indeed, partly because of these uncertainties -- I am convinced that START II is in the best interest of both the US and Russia.

- It compels both sides to reduce and restructure their strategic forces toward much more stabilizing configurations: Russia must eliminate all of its heavy ICBMs, and both Parties must eliminate all deployed ICBMs with multiple warheads; these systems are traditionally regarded as the most destabilizing strategic offensive arms.

- Like START I, it mandates a degree of openness about each sides' strategic nuclear forces which is positive, particularly in a time of political uncertainty.
- Furthermore, START II permits both countries to shift scarce resources toward more productive sectors of their economies.

This Treaty clearly reflects the end of the Cold War and the beginning of a new US-Russian relationship. I strongly urge Senate advice and consent to ratification of this landmark strategic arms reduction agreement.