

ARMS CONTROL

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U.S. Objectives

Negotiating Efforts

Problems of Soviet Noncompliance

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

1984

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U.S. Arms Control Objectives

In 1981, President Reagan initiated a comprehensive review of U.S. arms control policy, drawing upon lessons from previous efforts. Based upon that review, the basic U.S. arms control objectives are:

Substantial Reductions.

Arms control agreements should actually constrain the military capability or potential of the parties. Instead of legitimizing additional buildups or merely freezing weapons at high levels, arms control agreements should reduce weapons and forces substantially.

Equality of Rights and Limits.

Arms control agreements should produce mutual reductions to equal levels in important measures of military capability. An unequal agreement that establishes or prolongs an unequal balance can only result in instability.

Increased Security for U.S. and its Allies.

Arms control measures should enhance security of the parties by improving stability in the military balance. Deterrence of conflict and reduced risk of miscalculation should be served by arms control agreements. Instead of being viewed in isolation as ends in themselves, arms control agreements should be judged as a means of contributing to a more secure peace.

Effectively Verifiable Agreements.

Arms control agreements, because they relate directly to the security of participants, must include measures to permit effective verification and ensure compliance by all parties. Without such provisions, agreements can be circumvented and endanger the security of the participants. Experience has shown that accords lacking adequate provisions for verification and compliance become a source of suspicion, tension and distrust, rather than contributing to international stability.

The reasonableness of these criteria is not subject to dispute. Alternative means of achieving these objectives have been and must continue to be explored, but the criteria themselves cannot be neglected without jeopardizing not only the future security of the U.S. and its allies but also the continuing public support for arms control efforts.

BASIC US ARMS CONTROL OBJECTIVES

- SUBSTANTIAL REDUCTIONS
- EQUALITY OF RIGHTS AND LIMITS
- INCREASED SECURITY FOR THE US AND ITS ALLIES, REDUCED RISK OF WAR
- EFFECTIVELY VERIFIABLE AGREEMENTS

NEGOTIATIONS AND US INITIATIVES

- INF (US-USSR) — — REVISED US POSITION MARCH, SEPTEMBER AND NOVEMBER 1983
- START (US-USSR) — — REVISED US POSITION JUNE AND OCTOBER 1983
- MBFR (NATO-WARSAW PACT) — — REVISED US/NATO POSITION JULY 1982
- CONFERENCE ON DISARMAMENT IN EUROPE (EUROPEANS, US & USSR) — — PREPARATORY MEETING OCTOBER 1983
- COMMITTEE ON DISARMAMENT (UN) — — CW BAN FEBRUARY 1983

Figure 1: Basic U.S. Arms Control Objectives, Negotiations and U.S. Initiatives

Negotiations in 1983

In 1983, the U.S. intensively pursued arms control negotiations in both bilateral and multi-lateral forums. The U.S. flexibly adjusted its position in both the Strategic Arms Reductions Talks (START) and the Intermediate-Range Nuclear Forces (INF) bilateral negotiations. The U.S. also undertook major initiatives in other substantive areas of arms control, such as efforts in the Committee on Disarmament in Geneva to ban chemical weapons (CW). (See Figure 1)

Bilateral Negotiations

INF

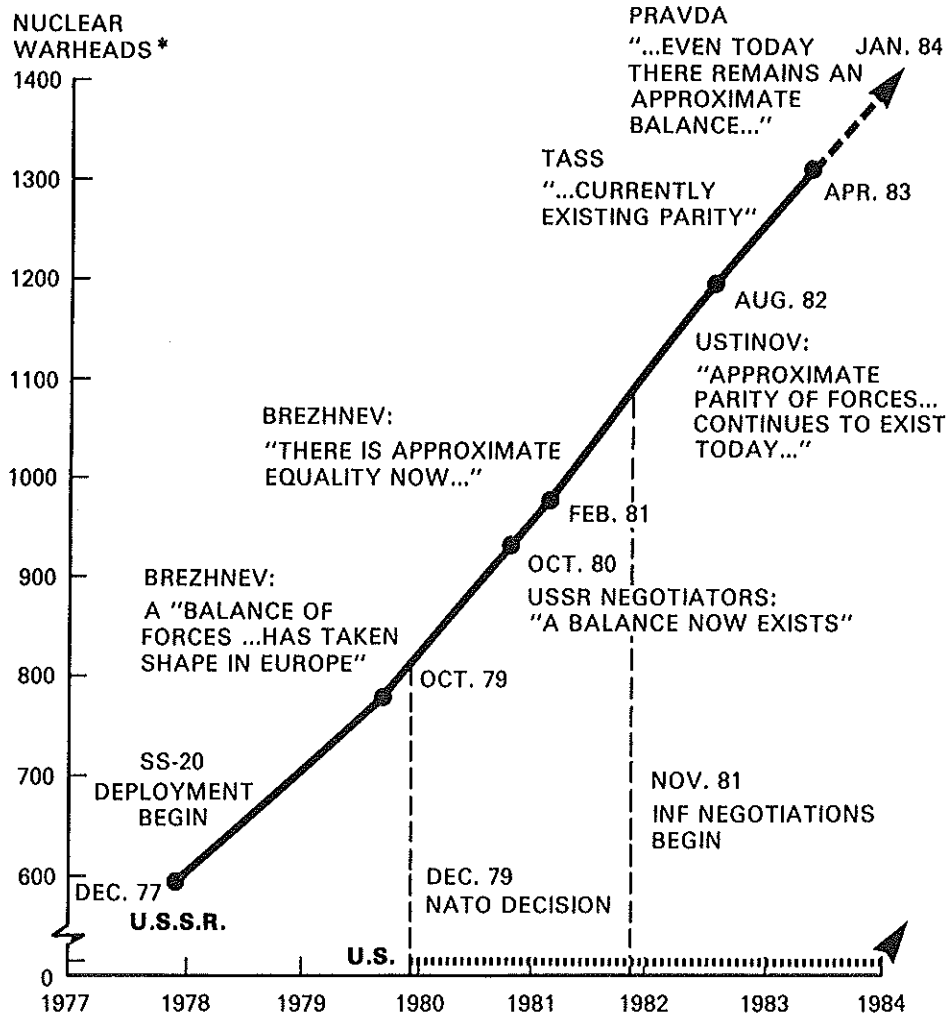
Although some limited progress was made in the INF negotiations, the major obstacle continued to be Soviet opposition to any INF arms control agreement that would not give them a monopoly in longer-range INF missiles. This Soviet intransigence was the underlying basis for their unilateral suspension of the INF talks on November 23 in Geneva. Shortly thereafter the Soviets used the same pretext they had voiced in suspending INF talks—initial deploy-

ment in Western Europe of U.S. longer-range INF missiles (in response to the growing Soviet monopoly in such systems)—to end both START and then MBFR talks without setting dates to resume.

One of the important obstacles to reaching an INF agreement has been the persistent Soviet claim that a balance already exists in INF. This claim does not stand up to the test of the facts. In October 1979, the Soviets claimed that there was then a balance in INF. At the time deployment of SS-20s had reached at least 100 missiles (with 300 warheads) on launchers. NATO had no counterpart. The Soviets have repeated their assertion of a balance while their continued buildup of SS-20s made the assertion even more at variance with the facts. (See Figure 2.)

By December 1983, the Soviets had deployed 378 SS-20 missiles on launchers with an SS-20 warhead total of 1,134, not counting reload missiles. With the remaining SS-4s, the overall level of Soviet longer-range INF (LRINF) missiles was over 1,300 warheads on about 600 LRINF missiles on launchers. Thus, as Figure 2

COMPARISON OF U.S. AND SOVIET LONGER-RANGE INF WEAPONS
HOW TODAY'S LRINF IMBALANCE DEVELOPED
AND SOVIET PUBLIC DESCRIPTIONS OF US-USSR FORCE POSTURE



* INCLUDES WARHEADS ON SOVIET SS-20s AND OLDER SS-4s AND SS-5s, BUT DOES NOT INCLUDE WARHEADS ON REFIRE MISSILES

Figure 2: Comparison of U.S. and Soviet Longer-Range INF Weapons

indicates, by deploying the three warhead SS-20 the Soviets have more than doubled their warheads on LRINF missiles from the level of about 600 at the end of 1977, the year SS-20 deployment began. Even the total response to the SS-20 approved by NATO in December 1979 (572 warheads on 464 ground-launched cruise missiles and 108 Pershing II ballistic missiles) when fully deployed by the end of 1988 would be no more than the Soviets already had in 1977 and less than half of the Soviet warheads on longer-range INF missile launchers in December 1983. Yet the Soviets have claimed that NATO's deployment would upset "the balance."

Another obstacle to reaching an INF agreement has been the Soviet resistance to the idea of global limits. The necessity of global limitations on LRINF missiles such as the SS-20 is clear because of its long range and mobility. With its range of about 5,000 kilometers, the SS-20 could still threaten much of Western Europe from bases east of the Urals. (The target coverage of the SS-20, compared to the coverage provided by the 2,500 km GLCM and 1,800 km Pershing II from bases in Western Europe is shown in Figure 3.) Thus, limitation or even elimination of SS-20s based in the European part of the USSR would leave unconstrained a remaining major threat to NATO. In addition, the SS-20s based beyond range of Western Europe could be readily transported westward to threaten NATO/Europe. (135 of the 378 SS-20 missiles on launchers deployed by December 1983 were located in the Eastern USSR and considered to be targeted on Asia.) It would be contrary to U.S. policy to permit a reduction of the SS-20 threat to NATO allies in Western Europe at the expense of an increased or unconstrained SS-20 threat to U.S. allies in Asia.

At the outset of the INF negotiations in November 1981, the U.S., in close consultation with its NATO allies, proposed the zero-zero option, mutual elimination of all longer-range INF missiles. President Reagan offered to cancel planned deployment of 464 GLCMs and 108 Pershing IIs if the Soviets would agree to destroy all their SS-4, SS-5 and SS-20 missiles.

In March 1983, the U.S. substantially modified its position by offering to negotiate an interim agreement limiting U.S. and Soviet LRINF missile warheads to equal levels globally. In September 1983, in further search for an agreement, the U.S. introduced new initiatives in areas of Soviet concern, such as possible limits on aircraft as well as missiles. In November the U.S. amplified the September initiatives with a suggestion of a specific global warhead ceiling.

Despite their attempts to give the appearance of flexibility, the Soviets have consistently rejected any arms control agreement that would

permit NATO deployment of U.S. missiles to counter the Soviet SS-20s. This unyielding Soviet position amounts to a "half-zero" option, zero for NATO and a large SS-20 force for the Soviets. This Soviet position is thus fundamentally at odds with one of NATO's basic criteria for an INF agreement, provision of equal rights and limits. (See Figure 4.)

The Soviets have also insisted that British and French nuclear forces, over which the U.S. has no control and which are fundamentally different in role and characteristics from U.S. and Soviet LRINF missiles, be counted in a bilateral INF negotiation between the U.S. and the U.S.S.R. Such inclusion is unacceptable because British and French forces are national deterrents, designed to deter attack against Britain and France, and not against other members of NATO. (See Figure 4.)

The unilateral Soviet decision to suspend INF negotiations on November 23, 1983, was as unjustified as it was unfortunate. As Ambassador Nitze, head of the US INF delegation, stated at the time:

"The Soviet Union has rationalized the suspension of these negotiations on the grounds that approval by the NATO parliaments of U.S. missile deployments and U.S. deployment of those missiles makes continuation of such talks impossible. In December 1979, when the U.S. first proposed INF negotiations to the Soviet Union, the Soviet Union had already deployed some 140 SS-20s globally. The global total of SS-20s now is 360 and this Soviet buildup continues. This continuing Soviet buildup has not prevented the U.S. from pursuing these negotiations and making every effort to reach an equitable agreement. These negotiations should continue until an agreement is reached.

"The U.S. remains committed to reaching a negotiated solution which meets the security needs of all concerned. The U.S. delegation has sought both formally and informally to explore all opportunities for reconciling the differences between the two sides. The U.S. proposals are flexible and designed to meet expressed Soviet concerns.

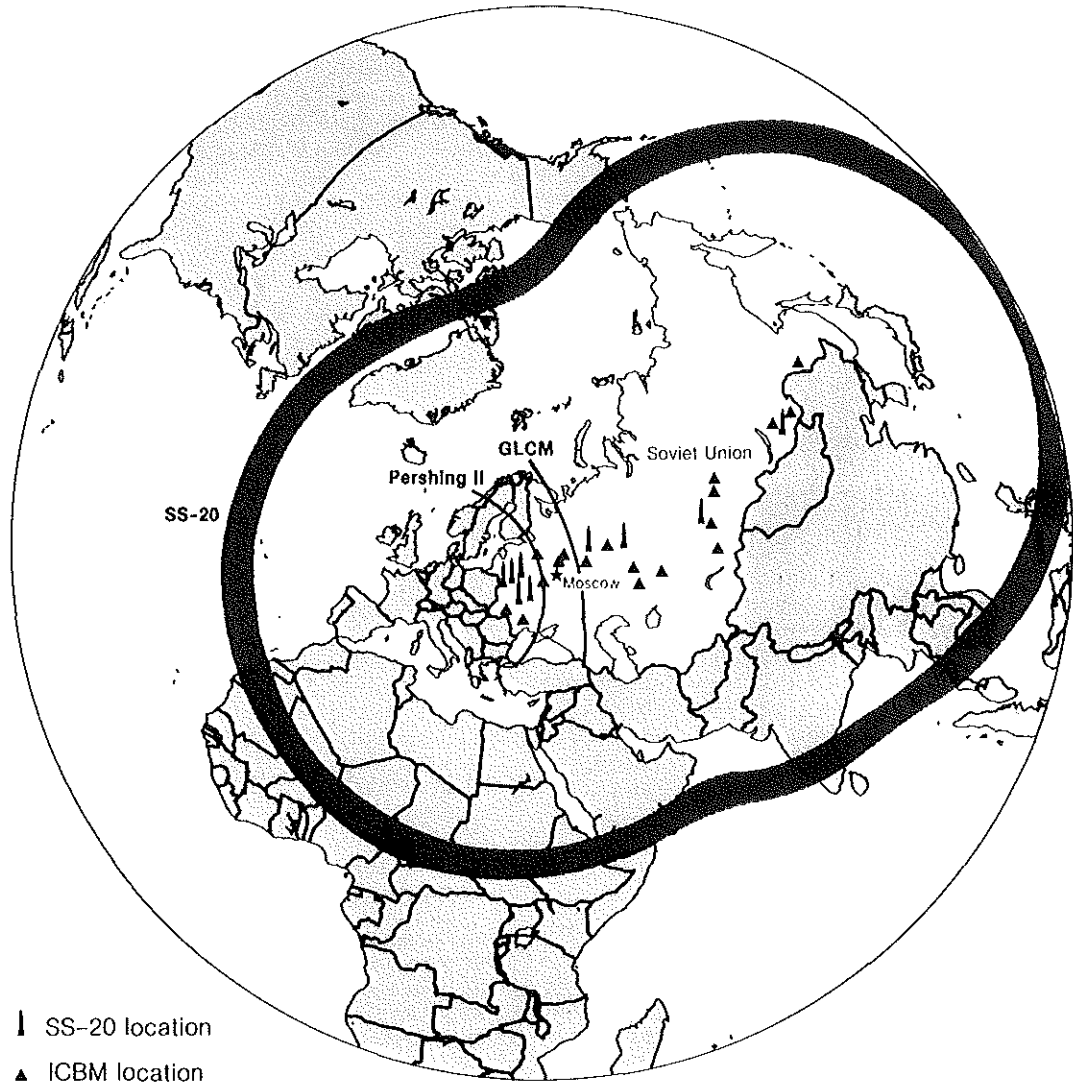
"The U.S. stands ready to halt or reverse its deployment if an equitable agreement to reduce or eliminate U.S. and Soviet missiles can be achieved."

In 1984, it is hoped that the Soviet Union will realize that resuming negotiations on INF and reaching an equitable and verifiable agreement is more in their interest than continuing a pressure campaign against NATO's determination to maintain its deterrent.

START

Although the U.S. modified its START proposals during 1983, the basic goals of the U.S. in START remain unchanged: substantial reductions in the numbers and destructive capability of U.S. and Soviet strategic weapons systems—

**Target Coverage of Soviet SS-20 and
NATO Pershing II and Ground-Launched Cruise Missile**



┆ SS-20 location

▲ ICBM location

- THE SOVIET SS-20 MISSILE, WITH A RANGE OF ABOUT 5,000 KM, CAN STRIKE TARGETS THROUGHOUT EUROPE, THE MIDDLE EAST, NORTH AFRICA, AND ASIA.
- THE MOBILE SS-20 CAN BE TRANSPORTED EASILY FROM ONE BASING REGION TO ANOTHER. THUS A GLOBAL CEILING ON SUCH A LONGER-RANGE INF SYSTEM IS NECESSARY TO PREVENT IT FROM BEING REDEPLOYED, FOR EXAMPLE, FROM THE FAR EAST TO THREATEN ALL OF EUROPE.
- IN THE INF NEGOTIATIONS, THE SOVIETS HAVE REJECTED THE CONCEPT OF GLOBAL LIMITATIONS ON SYSTEMS SUCH AS THE SS-20.
- THE NATO RESPONSES TO THE SS-20 ARE THE US PERSHING II (1,800 KM RANGE) AND THE US GROUND-LAUNCHED CRUISE MISSILE (2,500) KM RANGE).

Figure 3: Target Coverage of Soviet SS-20 and NATO Pershing II Ground-Launched Cruise Missile

INF

U.S. PROPOSAL

- ZERO/ZERO PROPOSAL - ELIMINATION OF ALL US AND SOVIET LAND-BASED LRINF MISSILES
- AS AN INTERIM OUTCOME, LOW EQUAL NUMBERS OF WARHEADS
- GLOBAL IN SCOPE
- VERIFICATION MEASURES

SOVIET PROPOSAL

- HALF-ZERO PROPOSAL - HUNDREDS OF LRINF MISSILES FOR USSR, NONE FOR US
- COMPENSATION FOR BRITISH AND FRENCH NUCLEAR FORCES
- EUROPE ONLY

Figure 4: INF: U.S. Proposal, Soviet Proposal

especially ICBMs—to more stable and verifiable levels, and the resulting decrease in the risk of nuclear war. The U.S. seeks a START agreement which would actually reduce the current imbalance in ballistic missile forces, especially in the MIRVed ICBMs and in ballistic missile throw-weight. (See Figure 5.)

After consultations with Congress and with bipartisan support, the Administration modified the U.S. negotiating position in 1983. On June 8, 1983, President Reagan announced that the U.S. would incorporate changes in its START proposal, reflecting the recommendations of the Commission on Strategic Forces (the Scowcroft Commission) as well as considerations raised by Members of Congress. The U.S. relaxed its proposal for limiting each side to a total of 850 ballistic missiles, thereby lifting a constraint on a stabilizing evolution toward small, more survivable single-warhead ICBMs recommended by the Scowcroft Commission. The central ele-

ment of the U.S. START position remained a reduction in total ballistic missile warheads to a ceiling of 5,000, a reduction of one-third from the current level. (See Figure 6.)

The U.S. also modified its draft START treaty by providing equal limits—below those allowed under SALT II—on the number of heavy bombers and cruise missiles carried by bombers. To facilitate further the search for an agreement with the Soviets, the President gave Ambassador Rowny, head of the U.S. START delegation, flexibility to explore alternative approaches for meeting the U.S. goal of reducing the destructive capability and potential of ballistic missiles.

On October 4, 1983, the President further modified the U.S. START position, acknowledging the significant contributions made by Members in both houses of Congress. He decided to incorporate a specific, mutual, and guaranteed build-down into the basic U.S. negotiating posi-

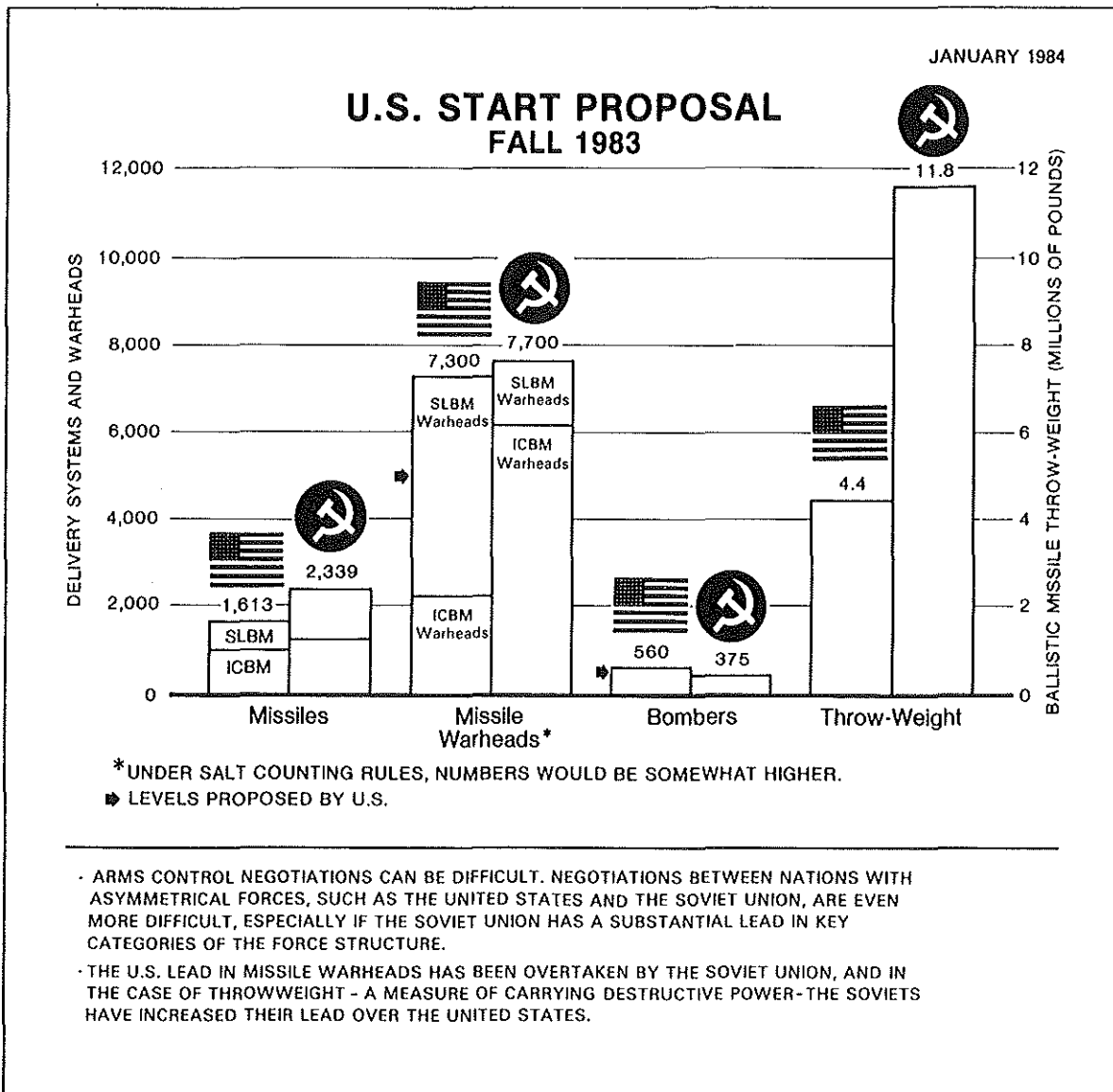


Figure 5: U.S. START PROPOSAL, Fall 1983

tion designed to encourage stabilizing systems. The build-down proposal includes:

- a provision which links reductions in ballistic missile warheads to modernization using variable ratios which identify how many existing nuclear warheads must be withdrawn as new warheads of various types are deployed;
- a provision calling for a mandatory annual percentage build-down in ballistic missile warheads of about 5 percent and a provision that ensures that the reductions would be placed by whichever above rule produces the greatest reductions; and
- a provision calling for a parallel build-down in the number of strategic bombers.

In addition, the U.S. delegation was authorized to:

- discuss additional limitations on the air-launched cruise missiles (ALCMs) carried by U.S. bombers; and
- negotiate trade-offs, taking into account Soviet advantages in missiles and U.S. advantages in bombers, in ways that provide each side maximum flexibility consistent with movement toward a more stable balance of forces.

The U.S. presented the build-down proposal and attempted to explore various avenues for reaching a START agreement based on this concept and the concept of trade-offs. (See Figure 6.)

START

US INITIATIVES — ROUND IV (JUNE 1983)

- RELAXED 850 BALLISTIC MISSILE LIMIT
- SHOWED FLEXIBILITY ON THROW-WEIGHT
- REDUCED ALCM LOADING LIMIT ON HEAVY BOMBERS BELOW SALT II LEVELS
- COMBINED PHASES
- TABLED DRAFT TREATY

US INITIATIVES — ROUND V (OCTOBER 1983)

- MUTUAL, GUARANTEED BUILD-DOWN OF BALLISTIC MISSILE WARHEADS AND BOMBER PLATFORMS
- PROPOSAL FOR BUILD-DOWN WORKING GROUP IN START
- PREPARED TO NEGOTIATE TRADEOFFS BETWEEN SOVIET ADVANTAGES AND US ADVANTAGES
- WILLING TO FURTHER LIMIT SIZE OF ALCM FORCES

SOVIET MOVEMENT IN START HAS BEEN VERY MINIMAL. THE U.S. HAS DEMONSTRATED CONSIDERABLE FLEXIBILITY. 1983 WAS A YEAR OF PARTICULAR FLEXIBILITY ON THE U.S. SIDE. THE U.S. MODIFIED ITS POSITION IN HOPES OF ACHIEVING AN EQUITABLE AGREEMENT.

Figure 6: START: U.S. Initiatives, Round IV (June 1983), U.S. Initiatives, Round V (October 1983)

The Soviet START proposal, which they put forward in the spring of 1983, provided for the first time some actual reductions to a level of 1,800 strategic nuclear delivery vehicles. It also calls for unspecified limits on the aggregate number of nuclear weapons, including cruise missiles and other bomber armament, and modest reductions in SALT II MIRV sublimits. In contrast to the U.S. proposal, the Soviet START proposal does not distinguish between systems that are more destabilizing than others. The Soviet proposal does not go as far as both sides should to reduce nuclear arsenals. It would, in fact, allow a further buildup in Soviet ICBM warheads. The Soviet proposal would perpetuate their current throw-weight advantage, an

advantage which gives them the potential to considerably increase the number of warheads in the absence of abrogation (breakout) of agreed limits.

Unfortunately, the Soviet rejected the build-down concept both publicly and in Geneva. Finally, at the end of the negotiating round on December 8, 1983, the Soviet side stated that developments in INF required the Soviet Union to re-examine all the issues which are the subject of the discussion at START and to withhold agreement on the resumption date for START.

The U.S. regrets that the USSR has chosen not to set a resumption date for the next round and cannot agree with the Soviet assertions

that developments outside the scope of these negotiations require the Soviet Union to make such a decision. The U.S., for its part, is fully prepared to engage in the START negotiations, and proposed to resume Round VI in early February. It is hoped that the U.S.S.R. will soon agree on a date for resuming these negotiations which are in the interest of both nations and of the world.

Multilateral Negotiations

MBFR

The talks on mutual and balanced force reductions (MBFR) began in Vienna in 1973. The MBFR talks continued in 1983. The goal of these multilateral talks (12 NATO members and 7 Warsaw Pact members) is, from NATO's perspective, to deal with the superiority the Warsaw Pact has in Central Europe in ground forces manpower (about 170,000 more than NATO, 960,000 compared to 790,000). The MBFR talks are part of a broader effort by the United States and its allies to reduce the likelihood of conflict in Central Europe and to strengthen East-West stability generally.

An agreement that provided reductions to parity in the form of equal collective manpower ceilings would eliminate the Warsaw Pact military manpower advantage in Central Europe that has long been a source of instability. Equal levels of military manpower there would lower the risk of conflict by reducing the advantage which forward deployed forces could have in launching an offensive.

MBFR illustrates the difficulty of reaching an agreement when a major imbalance already exists. (That imbalance has deteriorated further against NATO since it first proposed the talks in 1967, as a result of the Soviets' increasing their divisions in Central Europe from 22 to 27 by permanently stationing five divisions with 70,000 troops in Czechoslovakia after invading it with 32 Warsaw Pact divisions in August 1968.) A specific impediment to agreement in the case of MBFR is a basic dispute over the state of the balance or baseline from which reductions would be taken. The Warsaw Pact in June 1976 tabled—for the first time—data on their own forces, which underestimated their forces in Central Europe by about 160,000, leaving the false impression that approximate parity between East and West currently exists.

In July 1982, the West tabled a new draft MBFR treaty, designed to give momentum to the negotiations, addressing some important Eastern concerns while preserving the objective of parity (equal ceilings of 700,000 ground force personnel and of 900,000 ground and air force personnel combined) and the requirement for effective verification. The confidence-building and verification measures in the July 1982 Western draft treaty include:

- prenotification of, and observers at, out-of-garrison activities;
- prenotification of ground force movements into the area of reductions;
- an annual quota of on-site-inspections;
- establishment of permanent exit/entry points, with observers, through which most forces entering or leaving the area of reductions would pass;
- a detailed exchange of information on forces remaining in the area of reductions; and
- non-interference with national technical means of verification.

The West has also proposed that a joint commission be established to assist in implementing the agreement and consider questions of compliance.

The East modified its position in 1983, tabling new proposals in February and June. These proposals remain clearly inadequate because of their failure to address the crucial, unresolved question on data on the balance. Also, although they represented a positive development in that they recognized the need—long stressed by the West—for co-operative verification measures, these proposals remain deficient because they do not provide effective means to ensure, with confidence, that all reductions required to reach parity had, in fact, been taken. (For example, the application of most of the verification measures is postponed until after all reductions have taken place, thus increasing the risk of discovering dangerously late a failure actually to reduce reciprocally).

The U.S. remains committed to achieving an arms control agreement providing parity in conventional manpower levels in Central Europe. The Soviets, having at the end of the last MBFR negotiating round in December 1983 refused to agree then to a resumption date, later agreed to resuming MBFR talks on March 16, 1984. The fact that the East in 1983 did respond to the Western draft treaty of 1982 with some proposals of interest and significance provides a basis for hope for progress in 1984.

CDE and CSCE

The goal of a more stable peace in Europe could be served by the Conference on Confidence and Security Building Measures and Disarmament in Europe (CDE). In 1983 preparations were conducted for the CDE, which began in Stockholm on January 17, 1984. The United States, in conjunction with its NATO allies, has developed a package of confidence and security building measures to consider at the CDE. The U.S. seeks measures which will:

- reduce the risk of surprise attack and alleviate tensions relating to uncertainties about military preparations relevant to surprise attack;

- provide greater predictability regarding military activities and highlight departures from the norm;
- enhance stability in Europe by providing reassurance regarding military activities;
- reduce the risk of war by accident or miscalculation by increasing openness and availability of factual information about military activities; and
- improve communications in periods of heightened tensions to diffuse possible crises.

Such measures could make important contributions to the objective of increased stability in an area of potential major conflict. Achievement of that objective of U.S. arms control policy will require seriousness and cooperation on the part of all 35 nations involved in the CDE process, most importantly the Soviet Union.

The CDE is an outgrowth of the CSCE, the Conference on Security and Cooperation in Europe. The Madrid review meeting of the CSCE reached agreement on a final document in July 1983. The CSCE thereby added important provisions to the Helsinki Agreement of 1975. Those provisions deal with the rights of workers to organize, human and religious rights, human contacts and family reunification, access to diplomatic and consular missions, rights of journalists, and measures against terrorism.

Committee on Disarmament

Working with its western allies, the United States took the lead in 1983 in efforts within the 40-member Committee on Disarmament (CD) —established in 1979—to achieve a complete and verifiable ban on the production, stockpiling and transfer of chemical weapons (CW). Central to the U.S. position is that a chemical weapons treaty must contain effective measures to verify compliance, including on-site inspection of suspected cases of noncompliance. That imperative is based upon experience under the Geneva

Protocol of 1925, which prohibited use of chemical (as well as biological) weapons in warfare. The Geneva Protocol, however, not only lacks provisions for verifying or enforcing compliance but also places no restrictions on the production or stockpiling of such weapons. Although the Soviet Union has proclaimed that it also seeks a complete ban on chemical weapons, it has in fact proven unwilling to accept effective measures for verifying compliance.

In 1983 the United States made a major effort to facilitate progress in the negotiation of an effective and verifiable ban on chemical weapons. On February 3, 1983, Vice President Bush, in an unprecedented address to the Committee on Disarmament in Geneva, announced a major new U.S. initiative in this field, presenting detailed views of requirements for an effective chemical weapons ban, including systematic on-site inspection of both chemical weapons stocks and production facilities. In a further effort to focus the CD working group's efforts on practical approaches to important issues, in November 1983, the U.S. conducted a workshop, attended by 30 members of the CD, on chemical weapons stockpile destruction. This workshop near Salt Lake City enabled representatives to observe directly the actual procedures used by the United States for destruction of chemical weapons. Unfortunately, the Soviets did not attend the workshop. However, in February, 1984, an encouraging development was the Soviet statement at the CD accepting the principle of continuous on-site verification by international inspectors of destruction of chemical stocks.

Secretary of State Shultz, in his address to the opening session of the CDE on January 17, 1984, announced that in coming months at the CD in Geneva the U.S. negotiators will present a draft treaty on a complete and verifiable elimination of chemical weapons on a global basis, thus continuing the priority efforts the U.S. has made in this area of arms control.

Problems of Soviet Noncompliance

For the arms control process to remain viable, compliance with arms control agreements must be assured with high confidence. Unfortunately, one of the most troubling aspects of the Soviet approach to arms control is its record of stretching some basic provisions of arms control agreements to the brink of violation and beyond. In response to a request from Congress, the President, on January 23, 1984, transmitted to Congress a report of the compliance or noncompliance of the Soviet Union with existing arms control agreements to which the Soviet Union is a party.

The President's Report to Congress covers seven different matters of serious concern regarding Soviet compliance: chemical, biological, and toxin weapons, the notification of military exercises, a large new Soviet radar being deployed in the Soviet interior, encryption of data needed to verify arms control provisions, the testing of a second new intercontinental ballistic missile (ICBM), the deployment status of an existing Soviet ICBM, and the yields of underground nuclear tests. Additional issues of concern are under active study.

Soviet violations of arms control agreements could create new security risks. Such violations deprive us of the security benefits of arms control directly because of the military consequences of known violations, and indirectly by inducing suspicion about the existence of undetected violations that might have additional military consequences.

We have discussed with the Soviets all of the activities covered in the Report, but the Soviets have not been willing to meet our basic concerns which we raised in the Standing Consultative Commission in Geneva and in several diplomatic demarches. Nor have they met our requests to cease these activities. We will continue to pursue these issues.

The Report examines the evidence concerning Soviet compliance with: the 1972 Biological Weapons Convention (BWC) and the 1925 Geneva Protocol and customary international law, the 1975 Helsinki Final Act, the 1972 ABM Treaty, the unratified SALT II Treaty, and the unratified Threshold Test Ban Treaty (TTBT) signed in 1974. Preparation of the Report entailed a comprehensive review of the legal obligations and political commitments under existing arms control agreements, and documented interpretations of specific obligations; analyses of all the evidence available on applicable Soviet actions; and a review of the diplomatic exchanges on compliance issues between the U.S. and the Soviet Union.

The findings for the seven issues covered in

the Report, as reviewed in terms of the agreements involved, are as follows:

Chemical, Biological, and Toxin Weapons

The 1972 Biological and Toxin Weapons Convention (the BWC) and the 1925 Geneva Protocol are multilateral treaties to which both the U.S. and U.S.S.R. are parties. Soviet actions not in accord with these treaties and customary international law relating to the 1925 Geneva Protocol are violations of legal obligations.

The BWC bans the development, production, stockpiling or possession, and transfer of: microbial or other biological agents or toxins except for a small quantity for prophylactic, protective or other peaceful purposes. It also bans weapons, equipment and means of delivery of agents or toxins. The 1925 Geneva Protocol and related rules of customary international law prohibit the first use in war of asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices; and prohibits use of bacteriological methods of warfare.

The study addressed whether the Soviets are in violation of provisions that ban the development, production, transfer, possession and use of biological and toxin weapons.

The Soviets, by maintaining an offensive biological warfare program and capabilities and through their involvement in the production, transfer and use of toxins and other lethal chemical warfare agents that have been used in Laos, Kampuchea and Afghanistan, have repeatedly violated their legal obligations under the BWC and customary international law as codified in the 1925 Geneva Protocol.

Helsinki Final Act—Notification of Military Exercises

The Final Act of the Conference on Security and Cooperation in Europe was signed in Helsinki in 1975. This document represents a political commitment and was signed by the United States and the Soviet Union, along with many other states. Soviet actions not in accord with that document are violations of their political commitment.

All signatory states of the Helsinki Final Act are committed to give prior notification of, and other details concerning major military maneuvers, defined as those involving more than 25,000 troops.

The study examined whether notification of the Soviet military exercise Zapad-81, which occurred on September 4-12, 1981, was inadequate and therefore a violation of their political commitment.

With respect to the Helsinki Final Act, the U.S.S.R., by its inadequate notification of the Zapad-81 military exercise, violated its political commitment under this Act to observe the Confidence-Building Measure requiring appropriate prior notification of certain military exercises.

ABM Treaty—Krasnoyarsk Radar

The 1972 ABM Treaty and its subsequent Protocol ban deployment of ABM systems except that each party can deploy one ABM system around the national capital or at a single ICBM deployment area. The ABM Treaty is in force and is of indefinite duration. Soviet actions not in accord with the ABM Treaty are therefore a violation of a legal obligation.

In an effort to preclude a territorial ABM defense, the Treaty limited the deployment of ballistic missile early warning radars, including large phased-array radars used for that purpose, to locations along the national periphery of each party and required that they be oriented outward. The Treaty permits deployment (without regard to location or orientation) of large phased-array radars for purposes of tracking objects in outer space or for use as national technical means of verification of compliance with arms control agreements.

The study examined the evidence on whether the Soviet deployment of a large phased-array radar near Krasnoyarsk in central Siberia is in violation of the legal obligation to limit the location and orientation of such radars.

The new radar under construction at Krasnoyarsk almost certainly constitutes a violation of legal obligations under the Anti-Ballistic Missile Treaty of 1972 in that in its associated siting, orientation, and capability, it is prohibited by this Treaty.

SALT II

SALT II was signed in June 1979. It has not been ratified. In 1981 the United States made clear its intention not to ratify the Treaty. Prior to 1981 both nations were obligated under international law not to take actions which would "defeat the object and purpose" of the signed but unratified Treaty; such Soviet actions before 1981 are violations of legal obligations. Since 1981 the U.S. has observed a political commitment to refrain from actions that undercut SALT II as long as the Soviet Union does likewise. The Soviets have told us they would abide by these provisions also. Soviet actions contrary to SALT II after 1981 are therefore violations of their political commitment.

Encryption—Impeding Verification: The provisions of SALT II ban deliberate concealment measures that impede verification by national technical means. The agreement permits each party to use various methods of transmitting

telemetric information during testing, including encryption, but bans deliberate denial of telemetry, such as through encryption, whenever such denial impedes verification.

The study examined the evidence whether the Soviets have engaged in encryption of missile test telemetry (radio signals) so as to impede verification.

Soviet encryption practices constitute a violation of a legal obligation prior to 1981 and a violation of their political commitment subsequent to 1981. The nature and extent of encryption of telemetry on new ballistic missiles is an example of deliberate impeding of verification of compliance, in violation of this Soviet political commitment.

SS-X-25 Issues: 2nd New Type ICBM, RV Weight to Throw-weight Ratio, and Encryption:

In an attempt to constrain the modernization and the proliferation of new, more capable types of ICBMs, the provisions of SALT II permit each side to "flight test and deploy" just one new type of "light" ICBM. A new type is defined as one that differs from an existing type in the number of stages or propellant type or which exceeds by more than 5 percent the length, largest diameter, launch-weight or throw-weight of an existing type ICBM (i.e. flight tested before May 1, 1979). In addition, it was agreed that no ICBM of an existing type with a post-boost vehicle and a single re-entry vehicle (RV)—whose RV weight is less than 50 percent of the throw-weight of that ICBM—would be flight-tested or deployed. That latter provision was intended to prohibit the possibility that single-warhead ICBMs could quickly be converted to Multiple Independently-targetable Re-entry Vehicle (MIRVed) systems.

The study examined the evidence: Whether the Soviets have tested a second new type of ICBM (the SS-X-25) which is prohibited (the Soviets have declared the SS-X-24 to be their allowed one new type ICBM); whether the RV on that missile, if it is not a new type, is in compliance with the provision that for existing types of single RV missiles, the weight of the RV be equal to at least 50 percent of total throw-weight; and whether encryption of its tests impedes verification.

While the evidence is somewhat ambiguous, the SS-X-25 is a probable violation of the Soviets' political commitment to observe the SALT II provision limiting each party to one new type of ICBM. Furthermore, even if we were to accept the Soviet argument that the SS-X-25 is not a prohibited new type of ICBM, based on the one test for which data are available, it would be a violation of their political commitment to observe the SALT II provision which prohibits (for existing types of single RV ICBMs) the testing of such an ICBM with an RV whose weight is less than 50 percent of the throw-

weight of that ICBM. Encryption on this missile is illustrative of the impeding of verification problem cited earlier.

SS-16 ICBM—Banned Deployment: The Soviet Union agreed in SALT II not to produce, test or deploy ICBMs of the SS-16 type and, in particular, not to produce the SS-16 third stage, the RV or the appropriate device for targeting the RV of that missile.

The study examined the evidence whether the Soviets have deployed the SS-16 ICBM in spite of the ban on its deployment.

While the evidence is somewhat ambiguous and we cannot reach a definitive conclusion, the available evidence indicates that the activities at the Plesetsk Test Range are a probable violation of their legal obligation not to defeat the object and purpose of SALT II prior to 1981 during the period when the Treaty was pending ratification, and a probable violation of a political commitment subsequent to 1981.

TTBT—150 Kiloton Test Limit

The Threshold Test Ban Treaty (TTBT) was signed in 1974. The Treaty has not been ratified, but neither Party has indicated an intention not to ratify. Therefore, both Parties are subject to the obligation under international law to refrain from acts which would "defeat the object and purpose" of the TTBT. Soviet actions that would defeat the object and purpose of the TTBT are therefore violations of their obligation. The U.S. is seeking to negotiate improved verification measures for the Treaty. Both Parties have each separately stated they would observe the 150 kt threshold of the TTBT.

The Treaty prohibits any underground nuclear weapon test having a yield exceeding 150 kilotons at any place under the jurisdiction or control of the Parties, beginning March 31, 1976. In view of the technical uncertainties associated with predicting the precise yield of nuclear weapons tests, the sides agreed that one or two slight unintended breaches per year would not be considered a violation.

The study examined whether the Soviets have conducted nuclear tests in excess of 150 kilotons.

While the available evidence is ambiguous, in view of ambiguities in the pattern of Soviet testing and in view of verification uncertainties, this evidence indicates that Soviet nuclear testing activities for a number of tests constitute a likely violation of legal obligations under the TTBT.

Compliance Conclusions

The President has said that the U.S. will continue to press compliance issues with the Soviets through confidential diplomatic channels, and to insist upon explanations, clarifications, and corrective actions. At the same time we are continuing to carry out our obligations and commitments under relevant agreements. We should recognize, however, that ensuring compliance with arms control agreements remains a serious problem. Improved verification and compliance provisions and better treaty drafting will help, and we are working toward this in ongoing negotiations. It is fundamentally important, however, that the Soviets take a constructive attitude toward compliance.

Arms Control Prospects

A review of U.S. arms control objectives and efforts in 1983 provides a basis for both caution and hope. Soviet noncompliance with some arms control agreements—coupled with basic Soviet resistance to arms control aimed at producing substantial reductions, enhancing stability, providing equality in rights and limitations, and assuring verifiability—are reasons for caution. Yet, realism about the difficulties facing arms control efforts reveals not only that negotiations can be protracted, with disappointing intervals, but that perseverance can produce important results. The U.S. continues to hope for progress and will, along with its allies, leave open the opportunities for dialogue with the Soviets.