

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON NOTIFICATIONS OF LAUNCHES OF INTERCONTINENTAL BALLISTIC MISSILES AND SUBMARINE-LAUNCHED BALLISTIC MISSILES - 1988

The Agreement on Notifications of ICBM and SLBM Launches, signed during the 1988 Moscow Summit, reflects the continuing interest of the United States and the Soviet Union in reducing the risk of nuclear war as a result of misinterpretation, miscalculation, or accident.

A number of earlier U.S.-Soviet agreements address advance notification of some, but not all, strategic ballistic missile launches.

- The 1971 "Accidents Measures" Agreement requires each Party to notify the other in advance of any planned missile launches if such launches will extend beyond its national territory in the direction of the other Party.

- The 1972 "Incidents at Sea" Agreement provides for advance notice, through Notices to Airmen and Mariners of actions on the high seas which represent a hazard to navigation or aircraft in flight. Planned ballistic missile launches which will take place in international waters represent such a hazard, and, under the "Incidents at Sea" Agreement, notification must be provided. The Notices to Airmen and Mariners, however, consist of warnings which announce "closure areas" due to a hazard to navigation or aircraft in flight; they need not identify the nature of the hazard.

- Article XVI of the SALT II Treaty, which was never ratified, would have obligated each Party to notify the other well in advance before conducting multiple ICBM launches, or single ICBM launches planned to extend beyond its national territory. There was no obligation, however, to notify single launches not intended to extend beyond national territory. There were also no provisions in the SALT II Treaty for the notification of SLBM launches.

None of these earlier agreements, therefore, provided total coverage of all strategic ballistic missile (ICBM and SLBM) launches. In 1982, President Reagan proposed a number of new confidence-building measures for discussion at the U.S.-Soviet Strategic Arms Reductions Talks (START). Among these was a proposal for prior

notification of all launches of ICBMs and SLBMs. During the course of the START negotiations, both sides drafted similar launch notification procedures which were incorporated into the joint draft of the START agreement text.

In May 1988, the United States proposed to the Soviets that, as a confidence-building measure, the sides conclude a separate agreement calling for advance notification of ICBM and SLBM launches. The Soviets agreed, and on May 31, 1988, in Moscow, U.S. Secretary of State Shultz and Soviet Foreign Minister Shevardnadze signed the Agreement on Notifications of ICBM and SLBM Launches. The Agreement provides for notification, no less than 24 hours in advance, of the planned date, launch area, and area of impact for any launch of an ICBM or SLBM. The Agreement also provides that these notifications be provided through the Nuclear Risk Reduction Centers. The Agreement entered into force on the date it was signed.

The U.S.-Soviet Joint Statement issued following the Moscow Summit included the following statement:

The agreement between the United States and the USSR on notifications of launches of Intercontinental Ballistic Missiles and Submarine-Launched Ballistic Missiles, signed during the Moscow summit, is a practical new step, reflecting the desire of the sides to reduce the risk of outbreak of nuclear war, in particular as a result of misinterpretation, miscalculation, or accident.

Afterwards, the START I Treaty was signed in 1991. This Treaty contains an obligation to notify any flight test of an ICBM or SLBM, including those used to launch objects into the upper atmosphere or space. In addition to the requirements under the Ballistic Missile Launch Notification Agreement (i.e., that the notifying Party provide planned launch date, launch area, and reentry impact area), the START I Treaty requires that the notifying Party must also specify the telemetry broadcast frequencies to be used, modulation types and information as to whether the flight test is to employ encapsulation or encryption.

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*Signed at Moscow May 31, 1988.
Entered into Force May 31, 1988*

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

Affirming their desire to reduce and ultimately eliminate the risk of outbreak of nuclear war, in particular, as a result of misinterpretation, miscalculation, or accident,

Believing that a nuclear war cannot be won and must never be fought,

Believing that agreement on measures for reducing the risk of outbreak of nuclear war serves the interests of strengthening international peace and security,

Reaffirming their obligations under the Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War between the United States of America and the Union of Soviet Socialist Republics of September 30, 1971, the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Prevention of Incidents on and over the High Seas of May 25, 1972, and the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centers of September 15, 1987,

Have agreed as follows:

Article I

Each Party shall provide the other Party notification, through the Nuclear Risk Reduction Centers of the United States of America and the Union of Soviet Socialist Republics, no less than twenty-four hours in advance, of the planned date, launch area, and area of impact for any launch of a strategic ballistic missile: an

intercontinental ballistic missile (hereinafter "ICBM") or a submarine-launched ballistic missile (hereinafter "SLBM").

Article II

A notification of a planned launch of an ICBM or an SLBM shall be valid for four days counting from the launch date indicated in such a notification. In case of postponement of the launch date within the indicated four days, or cancellation of the launch, no notification thereof shall be required.

Article III

1. For launches of ICBMs or SLBMs from land, the notification shall indicate the area from which the launch is planned to take place.

2. For launches of SLBMs from submarines, the notification shall indicate the general area from which the missile will be launched. Such notification shall indicate either the quadrant within the ocean (that is, the ninety-degree sector encompassing approximately one-fourth of the area of the ocean) or the body of water (for example, sea or bay) from which the launch is planned to take place.

3. For all launches of ICBMs or SLBMs, the notification shall indicate the geographic coordinates of the planned impact area or areas of the reentry vehicles. Such an area shall be specified either by indicating the geographic coordinates of the boundary points of the area, or by indicating the geographic coordinates of the center of a circle with a radius specified in kilometers or nautical miles. The size of the impact area shall be determined by the notifying Party at its discretion.

Article IV

The Parties undertake to hold consultations, as mutually agreed, to consider questions relating to implementation of the provisions of this Agreement, as well as to discuss possible amendments thereto aimed at furthering the implementation of the objectives of this Agreement. Amendments shall enter into force in accordance with procedures to be agreed upon.

Article V

This Agreement shall not affect the obligations of either Party under other agreements.

Article VI

This Agreement shall enter into force on the date of its signature.

The duration of this Agreement shall not be limited.

This Agreement may be terminated by either Party upon 12 months written notice to the other Party.

DONE at Moscow on May 31, 1988, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA:

George P. Shultz

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

Eduard A. Shevardnadze