

# **FUNDAMENTAL TREATIES BETWEEN THE RUSSIAN FEDERATION AND THE USA IN THE NUCLEAR MISSILE SPHERE**

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***Abstract:** The most significant role in advancing the process of nuclear disarmament was played by bilateral agreements between the Russian Federation (USSR) and the USA in the nuclear missile sphere. In particular, among the key achievements in this area are the Treaty between the USSR and the United States on the Elimination of Intermediate-Range and Shorter-Range Missiles (the INF Treaty), as well as the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Restriction of Strategic Offensive Arms (START Treaty).*

***Keywords:** nuclear missile sphere, nuclear disarmament, bilateral agreements.*

## **1. INTRODUCTION**

Issues of arms control and non-proliferation regimes are the most important in the system of international relations. Treaties and agreements in this area remain the most effective mechanism for strengthening international security and stability, as well as confidence between states. Due to this, starting from the second half of the 20th century, chemical, biological and geophysical weapons were practically derived from the means of warfare. Significantly reduced nuclear and conventional weapons. Significantly reduced the threat of the outbreak of another world war.

Nevertheless, the problem of maintaining effective control over nuclear weapons (NW) is still relevant and occupies a key position in ensuring international security.

The main tools aimed at accomplishing this task include: agreements on the limitation and prohibition of nuclear tests, the limitation and reduction of nuclear weapons, agreements on zones free of nuclear weapons, as well as various initiatives to combat the proliferation of these weapons, acts nuclear terrorism and others.

## **2. BILATERAL AGREEMENTS BETWEEN THE RUSSIAN FEDERATION (USSR) AND THE USA IN THE NUCLEAR MISSILE SPHERE**

The most significant role in advancing the process of nuclear disarmament was played by bilateral agreements between the Russian Federation (USSR) and the USA in the nuclear missile sphere. In particular, among the key achievements in this area are the Treaty between the USSR and the United States on the Elimination of Intermediate-Range and Shorter-Range Missiles (the INF Treaty), as well as the Treaty between the Russian Federation and the United States of America on Measures for the Further Reduction and Restriction of Strategic Offensive Arms (the New START Treaty).

**2.1. The treaty between the USSR and the United States on the elimination of intermediate-range and shorter-range missiles (the INF Treaty)**

The INF Treaty was signed in Washington on December 8, 1987, entered into force on June 1, 1988 and is indefinite.

However, art. XV provides for the right to withdraw from the Treaty if any of the parties considers that its further compliance threatens its highest national interests. After the collapse of the USSR, the participants in this document are Russia, the USA, Belarus, Kazakhstan and Ukraine.

In accordance with this agreement, the parties pledged to eliminate all medium-range (in the range from 1000 to 5 500 km) and shorter (500-1000 km) range and not to have them in the future.

Soviet medium-range ballistic missiles (SSB) SS-20 Pioneer, SS-4, SS-5 and ground-based cruise missiles (CRNB) S-X-4, as well as operational tactical missiles (OTP) SS-12 were to be eliminated and SS-23 (types of missiles according to NATO classification).

The United States was supposed to eliminate the Pershing-2 medium range missiles, the BGM-109G KRNB (land-based Tomahawk KR), as well as the short-range missiles - the Pershing-1A OTP.

According to the Treaty, the deadline for the elimination of medium-range missiles is three years, a shorter range is one and a half.

Proposed methods for the destruction of rockets by exploding or burning their steps. In the first six months after the entry into force of the agreement, liquidation of up to 100 RSD was allowed using the launch method. The warheads of the nuclear-free missiles were destroyed by deforming their hulls.

Monitoring compliance with the Treaty was carried out by on-site inspections in the territory of both the USSR and the USA, and the countries of deployment of Soviet and American missiles (GDR, Czechoslovakia, West Germany, Great Britain, Italy, Belgium and the Netherlands, respectively). In addition, it was provided for continuous monitoring of the lack of production of missiles at manufacturing plants (for 13 years): for the USSR - Botkinsky Machine-Building Plant (Udmurt ASSR), for the USA - Plant No. 1 Hercules (Magna, Utah).

In order to resolve issues related to the implementation of the Treaty, a Special Control Commission was established. The exchange of notices stipulated by the agreement is carried out by the parties using the National Centers for Reducing Nuclear Hazard, which were established in accordance with a special Agreement between the USSR and the USA, signed in September 1987.

Over the three years of the implementation of the INF Treaty - from June 1988 to June 1991 - 1,846 missiles, 825 launchers (launchers), 812 warheads, and about 6,000 units were eliminated in eight locations in Russia and a number of former Soviet republics. other elements of missile systems (containers, installers, vehicles, stationary shelters, etc.).

The United States destroyed 846 missiles, 289 launchers, 442 warheads and more than 2,500 other elements in four locations.

As a result, ballistic and cruise ground-based missiles in the range of 500 to 5,500 km were completely withdrawn from the arsenals of the two nuclear powers.

The inspection activities provided for in the Treaty ended on May 31, 2001 (Belarus, Kazakhstan and Ukraine joined after the collapse of the USSR).

At the same time, at the present stage, a situation has arisen when, in conditions of continued missile proliferation in the world, only the USA, Russia and the three former USSR republics (Belarus, Kazakhstan and Ukraine) were bound by the possession of a wide range of medium and short range missiles.

Other countries, including such countries as Iran, India, Israel, North Korea, China, Pakistan, are successfully developing similar land-based systems.

In 2008, Russia took the initiative to make the INF Treaty global. The United States agreed with the Russian initiative, calling the current situation unfair. Washington said that "a general rejection of ballistic and cruise missiles of land-based with a range of 500-5500 km and the termination of related programs will contribute to curtailing the international regime of nuclear missile non-proliferation."

However, at the UN General Assembly, the United States limited itself to adopting a joint statement with the Russian Federation, but did not support the idea of starting a multilateral negotiation process on changing the status of the said Treaty. They refused to promote this proposal also in the Organization for Security and Cooperation in Europe, citing the fact that this initiative supposedly should be oriented not to the North Atlantic space, but to the Middle East and Asian regions. In their opinion, "such problematic states as the DPRK, Iran, Syria and Pakistan should be pulled up to the Treaty first of all."

***The situation around the Treaty and in relation to its implementation in recent years has become seriously complicated.*** This was primarily due to the position of the United States itself, for which the provisions of the INF Treaty created problems almost from the very beginning of their implementation of plans to deploy a global missile defense system (PRO) and to equip unmanned aerial vehicles with a combat payload.

At the same time, the corresponding US activities in these areas led them to the following violations of this Document.

1. In the interests of testing missile defense elements in the United States, a family of various target missiles (Hera, Super Hera, LRALT, and others) is used with a range limited by the INF. Tests of each such missile without active fire impact on it by means of antimissile defense do not differ from tests of high-grade combat missiles of medium-range ground-based, which is prohibited by Art. VI Treaty.

In addition, the Americans are engaged in the development of new universal missile accelerator facilities, which, depending on the configuration of their mounted warheads, can be used as combat ballistic missiles, which is prohibited by the INF Treaty.

2. Unmanned aerial vehicles with combat payloads (combat UAVs) with a range of 500-500 km strictly fall under the definition of the term "cruise missile" in accordance with paragraph 2 of Art. II of the Treaty ("unmanned, equipped with its own propulsion system means, the flight of which on most of its trajectory is provided by the use of aerodynamic force" and "which is a means of delivering weapons") and, therefore, are prohibited.

At present, there are hundreds of similar devices in the US military (in particular, the MQ-1B Predator and MQ-9A Reaper), with a limited range of action that can strike ground targets.

3. The deployment of Aegis Ashore anti-missile systems in Europe with the same launch equipment (Mk 41) with Tomahawk cruise missiles with a range of up to 2,400 km (in this case, they acquire ground-based status) directly contradicts provisions of the INF.

However, the United States categorically refuses to eliminate these violations.

In the interests of "rectifying the situation," when the United States finds itself in the role of violator of the INF Treaty, they put forward "counter" claims against the Russian Federation for its implementation of this Treaty.

At the same time, Washington refuses to provide any results of objective monitoring of this activity or other specific factual evidence of the claims being made.

In order to increase the corresponding pressure on the Russian Federation, on the initiative of the United States, for the first time after a 13-year hiatus, in October 2016, a session of the Special Control Commission with the participation of Russia, the USA, Belarus, Kazakhstan and Ukraine was convened, where the US side indicated its claim in a five-sided format without providing any substantiated evidence.

Then the United States voiced the accusation against the Russian Federation and within NATO. The subsequent meeting in the format of the JCC, held in December 2017, did not bring any progress in the process of resolving the problem around the INF. Both Russia and the United States categorically reject any claims brought against each other.

Instead of facts, Washington deliberately continues to discredit the Russian Federation by creating a negative information background around Moscow's alleged non-fulfilment of its obligations, which is used to build up anti-Russian propaganda, strengthen its influence in Europe and rally NATO allies against the "new Russian threat." The factor of the declared "violation of the Russian Federation of the Treaty" is fully used by them as a guarantee of the necessary public and political support for the course being implemented for strategic deterrence of Russia and the corresponding adaptation of the coalition nuclear policy.

As a result, the US took advantage of the prevailing situation around the INF Treaty to justify its actions contrary to the provisions of the Treaty, including military ones. In particular, the American Congress is considering the possibility of starting the development of medium-range missiles, deploying air and sea-based cruise missiles near the Russian borders, and expanding the missile defense program.

Thus, as of June 2018, the confrontation around the DDRMD has increased significantly, the problem is politicized and finding positive solutions to its implementation is becoming increasingly problematic.

It is possible that this treaty to come to an end on 2019 due to the fact that on February 1<sup>st</sup>, Secretary of State Mike Pompeo announced that the United States was suspending its obligations under the Intermediate-Range Nuclear Forces (INF) Treaty, and notified Russia and the other treaty parties that the United States would be withdrawing from the treaty in six months, pursuant to Article XV of the treaty. In response, on February 2<sup>nd</sup>, the Russian president Vladimir Putin stated that Russia was also suspending its obligations under the treaty.

## **2.2. The treaty between the Russian Federation and the United States of America on measures for the further reduction and restriction of strategic offensive arms (the new start treaty)**

The treaty between the Russian Federation and the United States of America on measures to further reduce and limit strategic offensive arms was signed by the presidents of the two countries on April 8, 2010 in Prague (Czech Republic) and entered into force after ratification by both parties on February 5, 2011.

In accordance with the provisions of the Treaty, each of the parties reduces and limits its ICBMs and SLBMs, their launchers, heavy bombers (TB), warheads on deployed ICBMs and SLBMs so that seven years after the entry into force of this agreement (until February 5, 2018) and further, the total quantities did not exceed:

- 700 units for deployed ICBMs, SLBMs and TB;
- 1,550 units for warheads on deployed ICBMs and SLBMs, as well as nuclear warheads counted for deployed heavy bombers and;
- 800 units for deployed and non-deployed launchers of ICBMs and SLBMs, deployed and non-deployed heavy bombers.

Moreover, each of the parties has the right to independently determine the composition and structure of its strategic offensive arms.

A similar regime is applied to all means of strategic offensive arms, excluding special measures of control over these or other systems.

Structurally, the new Treaty is a package of documents consisting directly of the text of the Treaty itself, its Protocol and annexes, which are an integral part of it.

The text of the agreement includes a preamble and 16 articles. The Protocol specifies the provisions of the Treaty and prescribes the procedure for their implementation. It contains definitions of terms, data categories with regard to funds subject to the Treaty, the nomenclature of notifications, defines the main parameters of the parties to refit and liquidate funds, regulates the inspection regime, the exchange of telemetry information,

the work of the Bilateral Consultative Commission, the temporary application of the Treaty. The Protocol also includes the agreed statements of the parties on certain issues related to the implementation of the Agreement.

The contract is valid for 10 years (until 2021). By mutual agreement of the parties, it may be extended for a period of not more than five years, if not replaced before this period by a subsequent agreement on the reduction and limitation of strategic offensive arms.

The Treaty stipulates a ban on the basing of strategic offensive arms outside the national territory. However, these obligations do not affect the rights of the parties in accordance with the generally recognized principles and norms of international law regarding the passage of submarines, aircraft flights, and submarine calls at ports of third countries.

The parties, in the exercise of their state sovereignty, have the right to withdraw from the Treaty if they decide that the exceptional circumstances related to its content have put their highest interests at risk.

The restrictions imposed by this agreement on the nuclear potentials of both states provide an acceptable level of strategic deterrence and allow them to remain at parity level on strategic offensive arms.

In preparing the Treaty, the existing significant gap between the number of parties' strategic offensive arms was taken into account and steps were taken not only to reduce it, but also to reduce the capacity to build up the so-called return capacity. In particular, the limit set in the agreement is 800 units for the total number of deployed and non-deployed launchers of ICBMs and BRIL, as well as deployed and non-deployed TB, limits the return potential of the parties, preventing the possibility of increasing the number of deployed START carriers by transferring part of the carriers from the category of undeveloped.

Of particular importance is the fact that the Treaty establishes the relationship of strategic offensive and strategic defensive weapons, with an emphasis on its growing importance in the process of reducing strategic offensive arms. The Russian Federation, in a separate statement within the framework of its signing, stipulated the possibility of withdrawing from the START treaty in the event of a qualitative and quantitative increase in the US missile defense system.

The United States has undertaken legal obligations not to re-equip and not use launchers of ICBMs and SLBMs to deploy missiles in them and, conversely, not to alter missile launchers to accommodate ICBMs and SLBMs. In addition, under the control mechanism of the Treaty, all the anti-missile defense missiles of the second US missile defense position area at Vandenberg (California) were hit.

The agreement spelled out provisions for the control of PU launchers of sea-based cruise missiles on strategic carriers - SSGN, converted from nuclear submarines of the "Ohio" type.

During the term of the Treaty (until 2021), all converted SLBM and ICBM launchers, as well as heavy bombers (both nuclear and equipped for non-nuclear weapons) will be checked for their reconversion.

Inspection activities under the Treaty began on April 6, 2011. Verification of the fulfilment of US commitments on the limits of deployed strategic carriers and warheads is carried out during inspections at all ICBM, SLBM and TB bases. Verification of the fulfilment of US commitments on the limits of undeveloped strategic carriers is provided during inspections at all strategic offensive weapons sites.

To ensure the reliability of control during these inspections, specific means of strategic offensive arms are selected randomly from all those located at the inspected facility.

In the course of the inspection activities, the parties confirm the data and characteristics of strategic offensive weapons on a specific ICBM base, submarines or air base.

During the year, all existing facilities of the sides of the parties can be subjected to such selective control several times, and each party determines the list of inspected objects on the basis of its priorities.

In the interest of increasing the effectiveness of verification activities, part of the tasks of monitoring compliance by the parties with their obligations on strategic offensive arms levels are additionally assigned to national technical means of control (NTSC).

An analysis of the practical implementation by the United States of its obligations under the Treaty showed that they, experiencing certain difficulties with entering START levels specified by this agreement, were forced not only to intensively reduce these weapons, but also to take additional steps to remove as much as possible from the contractual limitations strategic offensive means.

By February 5, 2018, the US State Department announced that it had fulfilled its obligations to reduce strategic offensive arms and reach the total amounts established by the Treaty (652 deployed ICBMs, SLBMs and TB; 1,350 warheads on deployed ICBMs, SLBMs and counted for deployed TB; 800 deployed and non-deployed PU ICBM, SLBM and TB).

At the same time, the declared achievement of the indicators established by the agreement was achieved by the United States not only as a result of real arms reductions, but also due to re-equipment that was uncoordinated with the Russian side into the non-nuclear version of the TB B-52N part and the Trident-2 missile launchers unsuitable for use. The Russian inspectors are unable to confirm the bringing of these strategic offensive weapons into a state unsuitable for the use of nuclear weapons, as provided for by the Protocol to the Treaty.

In addition, the United States also unreasonably withdrew from the counting "ICBM mine launchers intended for training", due to their arbitrary retraining in the category "training mines" unprovided by the Treaty.

Thus, the United States unlawfully independently excluded part of its strategic offensive arms from the restrictive format of the Treaty, effectively exceeding its limits.

In this regard, the Russian Federation stated that as long as there is no relevant joint agreement on the harmonization of procedures for converting TB and SSBMs and redeploying the silos of ICBMs, Russia does not consider the designated START funds as "converted", does not recognize their exclusion from and urges the United States to continue a constructive search for mutually acceptable solutions to this problem.

### **3. CONCLUSIONS**

In general, despite the disagreements between the Russian Federation and the United States regarding compliance with these treaties, it is impossible not to emphasize their generally recognized historical significance in promoting nuclear disarmament, strengthening strategic stability and international security. In addition, the fact of reaching such agreements can serve as an example of successful Russian-American cooperation in areas where the mutual interests of the two countries coincide.

The INF Treaty is historic both in its goal - the complete destruction of two classes of nuclear missile weapons, and the novelty and scale of the control measures provided for it, which became the starting point for developing verification mechanisms in subsequent agreements on nuclear weapons.

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