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February 2, 2009

Congressional Research Service

Report 97-359

START II Debate in the Russian Duma: Issues and Prospects

Amy F. Woolf, Foreign Affairs and National Defense Division

April 17, 2000

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Updated April 17, 2000

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Abstract

The Russian Duma, the lower house of the Russian Parliament approved ratification of the START II Treaty on April 14, 2000, after 7 years of debate and dissension. (The United States Senate approved ratification of the treaty in January 1996.) This report describes key concerns raised by Members of the Duma during their discussions of START II. These include concerns with treaty provisions, such as its ban on multiple warhead ICBMs and its warhead "downloading" provisions, and concerns with Russia's ability to maintain and finance its strategic nuclear forces in the future. The report notes that some in the Duma have linked their disapproval of START II to U.S. plans to deploy ballistic missile defenses, while others have linked START II to NATO's movement to add new members from the nations of Central and Eastern Europe. Although the Duma has now approved START II, its future remain uncertain because the Treaty cannot enter into force until the United States Senate consents to the ratification of a Protocol that extends the elimination deadlines in START II and several agreements that modify the 1972 ABM Treaty. This report will be updated if events warrant. Broader treatment of U.S.-Russian nuclear arms control issues is found in CRS Issue Brief 98030.

START II Debate in the Russian Duma: Issues and Prospects

Summary

The 1993 START II Treaty would limit the United States and Russia to 3,500 warheads on their strategic offensive forces. It would also ban all land-based missiles with multiple warheads (MIRVed ICBMs). In September 1997, the United States and Russia signed a Protocol extending the elimination deadlines in START II from the beginning of the year 2003 to the end of the year 2007. The two nations also agreed that they would begin negotiations on deeper reductions in a START III Treaty as soon as START II entered into force.

The United States Senate gave its consent to the ratification of START II in January 1996. The lower house of the Russian parliament, the Duma, began considering the treaty in 1995, but did not vote to approve it until April 14, 2000. During its efforts to win approval, officials in the Yeltsin government stressed that START II would serve Russia's interests because Russia could not afford to retain its forces at START I levels. They argued that START II would allow Russia to maintain parity with the United States by reducing U.S. forces to levels that Russian forces may decline to during the next decade, as Russia retires its older systems.

Duma members criticized many provisions in the treaty, arguing that they favored the United States and would undermine Russia's nuclear deterrent by forcing Russia to eliminate its MIRVed ICBMs. They believed Russia could maintain parity with the United States, without arms control reductions, if it retained a force of MIRVed ICBMs. Those who favored START II's ratification agreed that some provisions in the treaty may favor the United States, but they maintained that Russia could not afford to rebuild or retain its MIRVed ICBM force; instead, they argued that Russia could use the prospective START III Treaty to correct problems in START II. Duma members have also expressed concerns about the economic implications of START II, in particular, and Russia's strategic offensive forces, in general. Many refused to support START II ratification until the government presented a plan to maintain and finance Russia's nuclear forces until the year 2010.

Some in the Duma have linked START II to U.S. plans to deploy ballistic missile defenses. They argue that these defenses would undermine Russia's nuclear deterrent, particularly if Russia had eliminated its MIRVed ICBMs. The Federal Law on ratification links START II implementation to continued U.S. compliance with the 1972 ABM Treaty. Some in the Duma have also linked START II to NATO's inclusion of new members from the nations of Central and Eastern Europe. They believe that U.S. and NATO nuclear weapons may move closer to Russia's borders, creating a threat that Russia might counter with its own nuclear weapons.

After many delays in 1998 and 1999, the Duma finally voted to approve START II ratification in April 2000. However, the Treaty still has not entered into force. The U.S. Senate must give its consent to ratification of a Protocol that extends the elimination time-lines in START II. In addition, the Federal Law on ratification states that the Treaty cannot enter into force until the United States approves several 1997 agreements that modify the 1972 ABM Treaty. The U.S. Senate has not yet debated these agreements, and some doubt that it will consent to their ratification.

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START II Debate in the Russian Duma: Issues and Prospects

Background

Treaty Provisions

The United States and Russia signed the second Strategic Arms Reduction Treaty (START II) in January 1993.¹ START II limits each side to 3,500 warheads on strategic offensive delivery vehicles — land-based intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers. The treaty also mandates the elimination of all land-based multiple warhead ballistic missiles (MIRVed ICBMs) and limits each side to no more than 1,750 warheads on SLBMs. The United States and Russia can reduce their forces either by dismantling and destroying bombers and missile launchers, or, within limits, by removing warheads from deployed bombers, ICBMs, and SLBMs, a process known as “downloading.”²

The Helsinki Agreements

START II Protocol. During a summit meeting in Helsinki in March 1997, Presidents Clinton and Yeltsin agreed to amend START II to extend the elimination period in the treaty. In its original form, START II states that the parties must reduce their forces to treaty-mandated levels by January 1, 2003. But many in Russia had expressed concerns about this deadline, in part because START II had not entered into force in 1993, as had been expected, which sharply shortened the amount of time in the elimination period. As a result, the United States and Russia agreed to extend the elimination period by 5 years, to December 31, 2007. The two nations signed a Protocol formalizing this agreement on September 26, 1997. At the same time, in separate letters, the two parties agreed that they would deactivate the weapons to be eliminated under the treaty, either by removing warheads or taking other agreed steps, by the end of 2003.³

¹This treaty followed the 1991 Strategic Arms Control Treaty (START I), which limited each side (at the time, the United States and Soviet Union) to 6,000 accountable warheads on their strategic offensive forces. This treaty entered into force in late 1994, after Ukraine, Belarus, Kazakhstan, and Russia each ratified it as successors to the Soviet Union.

²For more details see START II: Central Limits and Force Structure Implications, by Amy F. Woolf. CRS Report 93-35F, updated May 9, 1995.

³The Protocol and deactivation letters formalized an agreement reached by Presidents Clinton and Yeltsin during a summit in Helsinki, Finland in March 1997. For details, see Fact Sheet on sTART II Protocol, Letters on Early Deactivation. The White House. September 26,

START III Framework. At their Helsinki summit, Presidents Clinton and Yeltsin also agreed that the two nations would begin negotiations on a third strategic arms reduction treaty (START III) as soon as START II entered into force. The two Presidents agreed that START III would limit each side to between 2,000 and 2,500 warheads on strategic offensive forces. They also agreed that they would address warhead stockpiles and nonstrategic nuclear weapons in the negotiations. The promise of further reductions in START III responded to concerns that many in Russia had raised about the economic burden of a START II force structure. These analysts had noted that Russia would have to build several hundred new single warhead missiles, to retain its forces at START II levels, after it eliminated its MIRVed ICBMs. With the lower limits in START III, Russia could maintain parity with the United States without investing in large numbers of new systems.⁴

Although START II has not yet entered into force, the United States and Russia began discussions on general principles for START III in 1999. In addition, in June 1999, Presidents Clinton and Yeltsin agreed that the two nations would conduct more detailed discussions about START III, in conjunction with discussions about possible modifications to the 1972 ABM Treaty, during the latter half of 1999. Although these discussions were not linked to START II directly, some analysts believed that progress on START III could help address some of the concerns that members of the Russian Duma had expressed about START II.

Ratification Process

The United States Senate gave its advice and consent to the ratification of START II in January 1996. President Clinton has stated that he will submit the September 1997 Protocol after the Russian parliament approves START II.

President Yeltsin initially submitted START II to the Russian parliament in 1995; he resubmitted it with the new Protocol in April 1998.⁵ The lower house of Russia's parliament, the Duma, held numerous hearings on the Treaty from 1995 through 1997, but did not schedule a full debate and vote on the Treaty during that time. In

³(...continued)
1997.

⁴Vladimir Lukin, Chairman of the International Affairs Committee has stated that deeper reductions in a START III treaty would enable Russia "not to construct new missiles and to secure parity at a lower level." See Foreign Committee Chairman on NATO, FBIS-SOV-96-196, October 7, 1996.

⁵The Russian parliament is bicameral. The upper chamber is the Federation Council and the more powerful lower chamber is the Duma. Both chambers must approve treaty ratification; the Federation Council is expected to do so on April 19, 2000. This report focuses on the Duma's role in START II ratification, in part because the Federation Council has shown little interest in international affairs and may be inclined to follow the leadership of the Duma on this issue and also because Duma members have been far more vocal in their criticisms of START II than have members of the Federation Council. For more information about the Russian parliament, see U.S. Library of Congress, Congressional Research Service. Russia's New Legislature: Context and Implications for U.S. Interests. CRS Report 96-878F, by Jim Nichol, October 31, 1996.

early 1998, leaders in the Duma stated that they would probably debate the treaty and vote on its ratification before the end of the session in June 1998, but they failed to accomplish this objective. Many observers attribute this delay to domestic politics. In April, President Yeltsin had forced the Duma to approve Sergei Kiriyenko as his choice for Prime Minister; many members responded to their loss in this confrontation by refusing to address other Yeltsin priorities, like the START II Treaty.⁶ Furthermore, few members seemed interested in the Treaty; a June meeting with Defense Minister Sergeyev and Foreign Minister Primakov attracted fewer than 50 Duma members.

The Duma resumed work on START II during its fall session, and it had drafted a law on ratification for the treaty by the end of November, 1998. It planned to begin debate on the Treaty in December, but the Communist party delayed that debate because the Duma did not yet have a draft law on financing for the nation's strategic nuclear forces. Many believed that START II should not be approved without this law. Nevertheless, officials in the Yeltsin government continued to press for START II approval, and many began to believe the Duma would act by the end of December. However, it again delayed its consideration of the treaty after the U.S. and British air strikes on Iraq in mid-December. The Treaty's future clouded again after the United States announced its plans in January 1999 to negotiate amendments to the 1972 ABM Treaty. However, after Prime Minister Primakov again pressed the Duma to ratify the treaty in mid-March 1999, the Duma leadership sent the draft law on ratification to President Yeltsin for his approval. He approved the draft and returned it to the Duma in late March 1999. On March 19, the Duma's leadership announced that it had scheduled a debate and vote to begin on April 2, 1999. However, this debate was canceled after NATO forces began their air campaign in Yugoslavia.

After Russia's parliamentary elections in late 1999 weakened support for the Communist Party, which had led the opposition to START II, many observers concluded that chances for treaty ratification had improved. Furthermore, on December 31, 1999, President Yeltsin resigned, so the Duma could no longer delay action on the Treaty to counter President Yeltsin's policies. The Acting President, Vladimir Putin, expressed his support for the Treaty and pressed for ratification in meetings with Duma leaders. He made the Treaty a priority after his election to the presidency in late March 2000, and succeeded in winning an affirmative vote in the Duma on April 14.

Although the Duma delayed a vote on START II for several years, senior officials in the Yeltsin government, including former Foreign Minister Primakov, Defense Minister Sergeyev, and the current head of the Strategic Rocket Forces, General Yakovlev, all argued in support of ratification.⁷ Minister Sergeyev, in

⁶Bovt, Gerogiy. West Sees Lebed As Young Yeltsin. Linkage of Russian-American Summit to START II Ratification Is an Obstacle to Bill Clinton's Moscow Visit. Moscow Segodnya, May 27, 1998. Translated in FBIS-SOV-98-147.

⁷See, for example, Charles Aldinger, U.S., Russian Ministers seek START-2 ratification, Reuters, October 16, 1996. See also, Kuzar, Vladimir, Ratification of the START II Treaty Must Not be Delayed Any Longer. An Interview with Rear Admiral Valentin Kuznetsov, in (continued...)

particular, holds strong credentials in this area. Because he supported START II in his previous position as head of the Strategic Rocket Forces, his opinion probably holds more weight than the luke-warm support offered by his predecessor, Defense Minister Rodionov. These officials all argued that Russia could not afford to maintain its forces at the levels permitted in the START I treaty and, therefore, must reduce to START II or lower levels for economic reasons. They also argued that, with its forces declining anyway, Russia could only maintain parity with the United States if START II compels the United States to reduce its forces as well.⁸ Furthermore, they noted that the Protocol's delay in the elimination deadline to 2007 means that Russia would not have to spend any additional money eliminating weapons systems under START II; they argued that these weapons would reach the end of their service lives in this time frame and would have been eliminated anyway.⁹

Many members of the Duma (and other analysts in Russia) expressed strong doubts about START II. Some opposed the treaty because they generally opposed the national security policies of the Yeltsin government and START II is a symbol of such policies. Some opposed START II because they objected to other areas of U.S. policy. For example, some in Russia argued that the U.S. congressional passage of legislation that would impose sanctions on Russian firms if they sold missile technology to Iran would hurt START II. Specifically, Yevgeny Primakov, who was Russia's Foreign Minister at the time, reportedly notified the United States that these sanctions would delay START II passage.¹⁰ Many, however, have enumerated concerns that derive from the provisions in the treaty and its relationship to Russia's national security. These criticisms coalesced around a few key issues: force structure and economic implications of START II; the effects of U.S. missile defense deployments on Russia's nuclear deterrent; and, the effect that NATO expansion might have on Russia's military security and political stature.

Duma Concerns

Concerns With Start II Provisions

Force Structure Issues. Some members of the Duma argued that the START II Treaty is not in Russia's national security interest because it would eliminate the core of Russia's nuclear forces — the large MIRVed ICBMs. And, with the current

⁷(...continued)

Krasnaya Zveda, June 2, 1998. Translated in FBIS-TAC-98-153.

⁸Vladimir Lukin, Chairman of the Duma International Affairs Committee has also raised this point, stating "if we do not ratify it the United States will keep more than 8,000 warheads. Then we will become a second-rate nuclear power... If we ratify it, we will keep parity with the United States in nuclear force." Yuri Svirko, Russia may set conditions on nuclear arms treaty, Reuters, January 31, 1996.

⁹Selezenov: START II To be Debated by Mid-June. Interfax, April 14, 1998.

¹⁰See "Russian Business Needs Diplomatic Protection." Izvestiya. May 14, 1998. Translated in FBIS-SOV-98-134. Others, including Duma member Vladimir Lukin, noted that these sanctions would harm START II's prospects because they would embarrass Russia. See Duma Deputy: Duma Unlikely to Ratify START II Before Fall. Interfax. May 28, 1998.

disintegration in Russia's conventional forces, many see these nuclear weapons as a key measure of Russia's superpower status. Furthermore, without MIRVed ICBMs, many argue that Russia would not be able to retain 3,500 warheads on its deployed forces. As it eliminates its MIRVed ICBMs and the other ICBMs and SLBMs that will reach the end of their service lives during the next decade, Russia's strategic offensive forces could fall to around 1,500 warheads. Under current economic circumstances, Russia could not afford to build hundreds of new single-warhead missiles to retain parity with the United States, even at START II levels.¹¹ At the same time, the critics note that START II does not ban MIRVed SLBMs, which constitute the bulk of the U.S. strategic offensive force.¹² Therefore, the treaty favors the United States and does not serve Russia's interests.

Some in the Duma have also argued that START II favors the United States because the United States can take greater advantage of the "downloading" provisions in the treaty. These provisions permit both parties to reduce their forces by removing warheads from deployed missiles, rather than by eliminating the missiles altogether. However, the treaty allows the parties to remove a maximum of 4 warheads from each missile. Because the majority of Russia's MIRVed ICBMs carry 10 warheads, downloading by 4 warheads would not leave these missiles with a single warhead. As a result, Russia will have to eliminate the missiles entirely. Most of the U.S. MIRVed ICBMs, in contrast, carry only 3 warheads, so the United States can download these missiles to single-warhead status. In addition, the United States can download, rather than eliminate, its Trident missiles to reduce these forces to the treaty limit of 1,750 warheads on SLBMs because the Treaty permits these sea-based systems to carry multiple warheads.

Critics in the Duma claim that this imbalance in the treaty's downloading provisions is unfair to Russia for two reasons. First, Russia would have to eliminate a far greater number of missiles than the United States. And, second, the United States would have a far greater "reconstitution potential" if it withdrew from the treaty and restored its forces to higher levels. By some calculations, the United States would be able to keep 2,000 "unloaded" warheads from its Minuteman III

¹¹The former Chairman of the Duma Defense Committee, Lev Rokhlin, stated "we would have to create an extra 500-700 single unit missiles — with one warhead — to find ourselves at the level allowed by the treaty." He estimated that it would cost Russia \$40-50 billion to manufacture these missiles, silos and their infrastructure. Rokhlin Says START-2 Will Cause Rearmament, FBIS-SOV-96-181, September 17, 1996.

¹²A report prepared for the CPRF (Communist Party of the Russian Federation) faction of the Duma stated that "The START II Treaty virtually preserves the existing structure of American strategic offensive weapons and calls for relatively little effort in the conversion of the land-based component of U.S. ICBMs." See CPRF Report on START II Ratification, FBIS-TAC-96-001-L, October 2, 1996, p. 19. In addition, an unidentified member of the Duma Defense Committee reportedly said some of the defense committee's members believe the treaty's provisions concerning the "destabilising role of inter-continental ballistic missiles with separable warheads" are discriminatory because the provisions cover ground-based missiles, which are the bulk of the Russian missile forces but do not similarly affect sea-launched missiles, which "spearhead" the U.S. force. Duma 'Expert' Predicts Difficult START-2 Job for Perry, FBIS-SOV-96-201, October, 16, 1996.

ICBMs and Trident SLBMs "in storage facilities in readiness for their operational deployment on launchers."¹³

Although START II's critics have been vocal in enumerating their concerns with the Treaty, many who support ratification agree that the treaty favors the United States. As a result, there are generally two schools of thought among Duma members about solutions to these force structure problems. Some believe Russia should reject START II and pursue its own course in strategic offensive forces. Others believe Russia should approve START II and use the negotiations on START III to correct the flaws in START II.

Some of those who argue against START II ratification contend that Russia should retain its MIRVed ICBMs to maintain a strategic balance with the United States. They argue that Russia could extend the service lives of its existing SS-18 ICBMs and, eventually construct a new facility to produce new large ballistic missiles. They could not use the facility that produced the existing missiles because it is located in Ukraine.¹⁴ Furthermore, without the START II ban on MIRVed ICBMs, they argue that Russia could arm its new SS-27 single-warhead ICBM with three warheads on each missile. This, too, would allow Russia to maintain a greater number of warheads on its strategic forces. To accommodate this alternative, some argue that even if Russia agreed to reduce its forces to START II levels, it should seek to amend the treaty to remove the ban on MIRVed ICBMs.

Those who argue that Russia should approve START II and move quickly to START III believe that this is the only way for Russia to maintain parity with the United States in strategic offensive forces. And many believe that this parity is essential because they see Russia's nuclear forces as one of the sole remaining indicators of Russia's superpower status. Hence, it could be politically unacceptable for Russian officials to advocate that Russia allow itself to become less of a nuclear superpower than the United States. Some who hold this view contend that Russia cannot afford to extend and replace its current force of large MIRVed ICBMs. As a result, the U.S. advantage would be far greater without START II than it would be under that treaty because the United States could retain its forces at START I levels while Russian forces declined due to economic pressures and the aging of its systems. As a result, they argue that Russia should seek to reduce U.S. forces to around 1,500 warheads -- the number Russia may have in 10 years -- through a START III Treaty.¹⁵ In addition, although many agree that the U.S. advantage under START II's downloading provisions is unacceptable, they argue that the parties should resolve the problem in a START III Treaty, possibly by mandating the elimination of warheads

¹³Podberezkin, Alexei and Anton Surikov. Once More on Benefit of Debate on START II Treaty. April 14, 1998. Translated in FBIS-TAC-98-114.

¹⁴See, for example, Podberezkin, Alexei Ivanovich and Anton Viktorovich Surikov. Opinion 1: A Treaty Giving the United States Advantages: START II Ratification Should be Revisited After 2000. March 30, 1998. Translated in FBIS-SOV-98-089.

¹⁵Arbatov, Alexei Georgiyevich and Colonel Petr Borisovich Romashkin. Opinion 2: There is no Alternative to START II Ratification: Since Russia Extremely Needs the Next Treaty, START III. March 30, 1998. Translated in FBIS-SOV-98-089.

removed from missiles. This would prevent the United States from reloading those warheads on its missiles.¹⁶

Critics of this second school of thought believe that Russia cannot rely on START III to resolve the problems in START II. They argue that the framework reached in Helsinki does not assure that the United States and Russia will ever conclude a treaty. They note that the United States might have little interest in doing so precisely because it benefits so much from the provisions in START II. As a result, they fear that Russia would approve START II anticipating START III, but end up with only START II in place.¹⁷

Economic Issues. As was noted above, officials in the Yeltsin government argued that Russia could not afford to maintain its forces at START I levels and, therefore, must approve START II so that the United States would have to reduce its forces to the same lower levels that Russian forces will fall to as older systems are retired. Most members of the Duma appear to agree with this assessment. But many have questioned whether START II is the solution to this problem. They note that the elimination of MIRVed ICBMs and the retirement of aging submarines would further reduce Russian forces to around 1,500 warheads by the year 2010. And they contend that Russia cannot afford to build new systems at a rate needed to support a force structure at START II levels.

These force structure calculations were one of the key factors that convinced many in Russia to pursue a START III Treaty with the United States, either immediately after or in place of START II. But, for many in the Duma, the promise of further reductions in START III was not enough. They questioned whether the government had a plan to maintain Russia's nuclear forces under START II or START III and whether the government would provide the funds needed for these forces in the future. The absence of such a plan is one of the reasons that some gave for the delay in the Duma's debate on START II in 1998.¹⁸ As a result, the Federal Law on START II ratification contains a condition stating that the Government must provide "stable and primary financing of the Russian strategic nuclear forces." It also mandates that the President of the Russian Federation present the parliament with a program on the development and financing of Russia's strategic nuclear forces no later than two months after the Federal Law on START II ratification enters into force.¹⁹

¹⁶Arbatov, Alexei Georgiyevich and Colonel Petr Borisovich Romashkin. Opinion 2: There is no Alternative to START II Ratification: Since Russia Extremely Needs the Next Treaty, START III. March 30, 1998. Translated in FBIS-SOV-98-089.

¹⁷Podberezkin, Alexei Ivanovich and Anton Viktorovich Surikov. Once More on Benefit of Debate on START II Treaty. April 24, 1998. Translated in FBIS-SOV-98-114.

¹⁸Duma Officials Comment on START II Ratification. Interfax. June 6, 1998. Translated in FBIS-TAC-98-157.

¹⁹Federal Law on Ratification of the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, Article 6 and Article 7. Unofficial Translation, provided by the PIR Center, Moscow. April 14,

(continued...)

Concerns With Ballistic Missile Defenses

Some Members of the Duma have linked their disapproval of START II to U.S. plans to develop and possibly deploy a national ballistic missile defense system (NMD), particularly if such a deployment exceeds the limits in the 1972 Anti-Ballistic Missile (ABM) Treaty.²⁰ Some argue that Russia should not enter into another arms control agreement with the United States if the United States is unwilling to abide by past commitments. Others contend that a nationwide missile defense system in the United States would undermine Russia's national security.²¹ Few believe that the United States will limit its missile defenses to a small number of interceptors directed against threats from rogue nations. They note that some Members of Congress have suggested far more extensive deployments and that, even if the United States begins with limited intentions, it might eventually deploy a more extensive defensive system.²²

Several Duma members have argued that Russia will find it difficult to maintain an effective nuclear deterrent without multiple-warhead ICBMs if the United States deploys an NMD because MIRVed missiles provide a cost-effective means to penetrate ballistic missile defenses.²³ And the problem could become more acute if, as expected, the number of warheads on Russia's strategic offensive systems continues to decline as older weapons are retired over the next ten years. According to Yuriy Maslyukov, a former Duma member from the Communist party, Russia could have as few as 300 warheads on its nuclear forces in 2010. He noted that, with these

¹⁹(...continued)
2000.

²⁰This treaty, and its 1974 Protocol, limit the United States and Soviet Union to one ABM site in each nation; this site must be around the nation's capital or ICBM silos. The treaty also limits each nation to 100 ABM interceptor missiles at its single site and it limits the size and location of ABM radars. The United States has designated the ICBM fields near Grand Forks North Dakota as its single, permitted ABM site.

²¹Russian concerns about a possible U.S. NMD deployment escalated in 1999, after the Clinton Administration added funds to the Defense Department's future years budget to support deployment and stated that the President would decide whether to proceed in June 2000. The Administration has sought to negotiate amendments to the ABM Treaty with Russia so that the United States can deploy its NMD site in Alaska, rather than around ICBM silos in North Dakota, but several officials have stated that the United States could withdraw from the Treaty if the talks fail. Russian officials have stated that changes in the ABM Treaty would not be in Russia's interest and that any U.S. attempt to break out of the Treaty would upset stability and undermine the offensive arms control process. For details see National Missile Defense: Issues for Congress. CRS Issue Brief 10034.

²²The CPRF Report on START II states that "the United States plans to begin deploying a territorial ABM system after the sides have implemented the terms of the START II Treaty by 2003. The territorial ABM will be based on existing tactical ABM complexes." CPRF Report on START II Ratification, FBIS-TAC-96-001-L, October 2, 1996, p. 31.

²³The CPRF Report on START II states that "In the presence of countermeasures — i.e, if the other side has an ABM system going beyond the framework of the ABM Treaty — the renunciation of MIRVed ICBMs could have a negative effect on nuclear potential." CPRF Report on START II Ratification, FBIS-TAC-96-001-L, October 2, 1996, p. 20.

forces, "even a limited ABM system could cast serious doubt on the capacity of the Russian strategic nuclear forces to inflict guaranteed unacceptable damage on the U.S. side in retaliatory actions."²⁴ These concerns have led many in the Duma to conclude that Russia should reserve the right to withdraw from START II if the United States withdraws from the ABM Treaty. This view is codified in the Federal Law on START II Ratification, which notes that U.S. withdrawal from the ABM Treaty could be viewed as an extraordinary event giving Russia the right to withdraw from START II.²⁵ President Putin appeared to support this approach, when he stated during the Duma's debate on START II that Russia would pull out of the entire system of agreements on strategic nuclear forces, as well as START II, if the United States dismantles the ABM Treaty.²⁶ The United States is unwilling to accept a formal linkage between Russian approval of START II and continuing U.S. compliance with the ABM Treaty. Officials in the United States have long argued that the two treaties are independent and each enhances the security of both parties.

Some in the Duma have also argued that U.S. plans for the deployment of advanced theater missile defenses (TMD) could undermine Russia's deterrent because defenses deployed close to Russian territory could intercept Russia's long-range ballistic missiles.²⁷ The United States and Russia sought to address these concerns in two Agreed Statements on theater missile defenses and the ABM Treaty that they signed in September 1997. These agreements do not limit the capabilities of U.S. TMD systems, but both nations have stated that they would not deploy TMD systems in a way that could pose a realistic threat to the strategic offensive forces of the other side.²⁸ The Duma also approved the ratification of these agreements on April 14, 2000. And it highlighted the connection between these agreements and START II in Article 9 of the Federal Law on START II ratification, when it stated that instruments of ratification for START II would not be exchanged until the United States had completed the procedures for ratifying these agreements.²⁹ President Clinton has

²⁴Yuriy Maslyukov. Address to members of the CPRF faction in the State Duma regarding the debate over ratification of the START II Treaty. June 5, 1998. Translated in FBIS-TAC-98-156.

²⁵Federal Law on Ratification of the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, Article 2. Unofficial Translation, provided by the PIR Center, Moscow. April 14, 2000.

²⁶Putin: Russia Does Not Need New Arms Race. Interfax, April 14, 2000.

²⁷Georgiy Drashennikov, a staff member for the Duma Defense Committee has stated that "a deployment of ground- and sea-based TMD would permit the United States to block the main bases of Russian SSBNs." See the Arms Control Reporter, January 1997, p. 603.B.289. Such a configuration could be a problem for Russia because many U.S. analysts believe that, in the event of a conflict, Russia would not send its submarines out into the open ocean, but would, instead, seek to launch its submarine-based missiles from port or nearby bastions.

²⁸For a more detailed description of these agreements, see U.S. Library of Congress, Congressional Research Service. Anti-Ballistic Missile Treaty Demarcation and Succession Agreements: Background and Issues. CRS Report 98-496F, by Amy F. Woolf. May 22, 1998.

²⁹Federal Law on Ratification of the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms (continued...)

stated that he would not submit these agreements to the Senate for its advice and consent to ratification until the Duma approves START II. It is possible that the Senate could decline to offer its consent to the ratification of these agreements when the President submits them.

Concerns with NATO Enlargement

Many members of the Duma, along with other officials in Russia, have linked their disapproval of START II to NATO's offer of membership to several nations in Central and Eastern Europe. Some highlight a military link between NATO expansion and START II by noting that NATO expansion will bring NATO's conventional and possibly nuclear forces closer to Russia's borders. They contend that tactical nuclear weapons along Russia's borders would be able to strike "strategic" targets inside Russia.³⁰ These critics note that Russia cannot offset the increased threat from NATO forces with its own weakened conventional forces.³¹ Hence, Russia must maintain nuclear forces to guarantee its security in the face of an expanded NATO.³² Some believe Russia should rely on non-strategic nuclear weapons, such as short range missiles and aircraft, to counter NATO's conventional superiority. This is analogous to NATO's reliance on nuclear weapons during the Cold War to counter the advantage of Soviet and Warsaw Pact conventional forces. Others, however, believe Russia should respond to NATO's enlargement by increasing its reliance on strategic nuclear forces. Where increased reliance on non-strategic nuclear weapons would represent a military response in the absence of sufficient conventional forces, an increased reliance on strategic nuclear weapons would represent more of a political response. Those who support this type of response contend that no nation would threaten Russia with conventional or nuclear weapons if Russia maintained a strong and credible nuclear deterrent. Strategic nuclear forces would not only serve as a key measure of this deterrent's strength, they would also remind nations that Russia is a nuclear superpower to be reckoned with.³³

²⁹(...continued)

States of America on Further Reduction and Limitation of Strategic Offensive Arms, Article 9. Unofficial Translation, provided by the PIR Center, Moscow. April 14, 2000.

³⁰Rokhlin has noted that the "inclusion of East European countries into NATO as members and the possible deployment of nuclear weapons in them would create a new threat to Russia: tactical nuclear forces thus turn strategic." See Ivan Rodin, Perry Fails To Persuade Duma Deputies, FBIS-SOV-96-203, October, 18, 1996.

³¹See U.S. Library of Congress, Congressional Research Service. Russian Conventional Armed Forces: On the Verge of Collapse? CRS Report 97-820, by Stuart D. Goldman. September 4, 1997.

³²Vladimir Lukin, Chairman of the Duma Committee on International Affairs has stated that NATO's expansion would bring "a powerful military organization ... close to Russia's borders," and, under these circumstances, "Russia has no way out other than maintaining its nuclear deterrent force at a proper level." See Deputies Tell Perry of Concerns Over NATO Expansion, FBIS-SOV-96-203, October 17, 1996.

³³The CPRF Report on START II notes that "Russia's possession of nuclear weapons under these circumstances [NATO's expansion] guarantees its ability to avert a nuclear attack or
(continued...)

Although the United States and its NATO allies have held extensive discussions with Russia in an effort to ease concerns about NATO enlargement, officials in the United States do not see any link between NATO's plans and the START II Treaty. Instead, most agree that the Duma and others in Russia have linked the two in an effort to gain leverage and attract attention for Russia's views on NATO enlargement. Nevertheless, the Duma expressed its concerns in the Federal Law on START II ratification, stating that the deployment of nuclear weapons on the territories of states that joined NATO after START II was signed could be considered to be an extraordinary event giving Russia the right to withdraw from START II.³⁴

The Path to Start II Ratification and Implementation

During 1996, many U.S. arms control analysts believed that the Duma would eventually approve the START II Treaty. Many expected a vote to occur after the June 1996 presidential elections in Russia and November 1996 elections in the United States. After Secretary of Defense Perry received a strongly negative response when he addressed the Duma in October 1996, however, growing numbers of analysts in the United States began to doubt that the Duma would ever approve START II. Not only had the Duma's suspicions of U.S. and NATO intentions increased, but the list of START II issues of concern to Duma members seemed too long and the nature of their concerns seemed too complex to solve without changing the treaty or other areas of U.S. policy in ways that the United States would find unacceptable.

This pessimism began to ease in late 1997, after the United States and Russia signed the Protocol to START II and agreed on a framework for START III. Many expected these agreements to address the key concerns voiced by the most influential members of the Duma. President Yeltsin assured the United States that he would press the Duma to ratify the treaty and, as was noted above, the Duma initially had the treaty on its agenda for its session during the first half of 1998. During that session, sentiments towards the treaty did appear to shift towards the positive. For example, Vladimir Lukin, Chairman of the International Relations Committee (and former Ambassador to the United States) expressed his support for the Treaty. Lev Rohklin, the Chairman of the Defense Committee who opposed ratification was replaced by Roman Popkovich. He has also opposed ratification if the treaty remains in its current form, but believes that conditions attached the draft law on ratification could address his concerns.³⁵

³³(...continued)

broad-scale aggression by conventional armed forces and arms against it or its allies." The report also states that "Russia cannot be assured of keeping the status of a great power under present conditions without keeping its nuclear status." See CPRF Report on START II Ratification, FBIS-TAC-96-001-L, October 1, 1996, p. 9.

³⁴Federal Law on Ratification of the Treaty Between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms, Article 2. Unofficial Translation, provided by the PIR Center, Moscow. April 14, 2000.

³⁵See Duma MP Says START II Difficult to Ratify in Present Form . Interfax. June 20, 1998.

But, in the first half of 1998, Russia's domestic political problems intervened to delay a debate on START II. During the first few months of the year, the Duma focused on budget issues and domestic policies. Then, President Yeltsin fired Prime Minister Chernomyrdin and restructured the government. This not only diverted the Duma's attention away from START II, it also led to the showdown over Sergei Kiriyenko, which soured relations between Yeltsin and the Duma. Even when the Duma did address START II, few appeared interested. The June 16 meetings at the General Staff attracted fewer than 50 Deputies, even though those who organized the meeting had expected more than 150 to attend.

When the domestic pressures eased in the latter half of 1998, leaders in the Duma again promised to address START II. Officials in the Yeltsin government continued to press for START II approval, and many began to believe the Duma would act by the end of December. It had completed a draft law on ratification and a draft law on financing for strategic offensive forces. However, U.S. military actions and their negative effects on U.S.-Russian relations led to further delays. The Duma delayed its consideration of the treaty after the U.S. and British air strikes on Iraq in mid-December and then again after NATO forces began their air campaign in Yugoslavia in March 1999. These problems were compounded by Russia's negative reaction to the U.S. announcement in January 1999 that it planned to negotiate amendments to the 1972 ABM Treaty so that it could deploy an NMD site in Alaska.

Many observers view the Duma's approval of START II on April 14, 2000 as a result of support from newly-elected President Putin, in spite of continuing strains in U.S. Russian relations. His background and reputation for toughness, along with his support for and from the military, when combined with the losses suffered by the Communists in the parliamentary elections in December 1999, allowed him to win enough votes to ensure the Treaty's approval.

But the Duma's vote does not yet assure that START II will enter into force or that implementation will be smooth and speedy. This is, in part, due to the fact that the United States and Russia remain at odds over possible modifications to the ABM Treaty. President Putin and other Russian officials have made it clear that Russia could withdraw from START II if the United States withdraws from the ABM Treaty to deploy an NMD site in Alaska. And the Russian Federal Law on Ratification states that START II cannot enter into force until the United States approves the Protocol that extends the time line for eliminations, the Agreed Statements on Demarcation that modify the 1972 ABM Treaty, and the Memorandum of Understanding on Succession to the ABM Treaty. The Clinton Administration had planned to submit these documents to the Senate for its advice and consent after the Duma approved START II, but some reports indicate that it may withhold these agreements until the United States and Russia reach a broader agreement on ABM Treaty modifications that would permit the deployment of a U.S. NMD site in Alaska. Regardless, the U.S. Senate could refuse to consent to the ratification of any modifications to the ABM Treaty, in part because some Members believe the Treaty should lapse so that the United States can deploy a more robust NMD. If this were to happen, then the future of START II, and a follow-on START III Treaty would be in doubt.

Some, however, have argued that the Duma's vote is less relevant to the implementation of START II than it is to the broader arms control process. In

particular, they note that now that the Duma has approved START II, the United States and Russia can move forward on START III negotiations. In the wake of the START II vote, President Putin stated that Russia would like START III to reduce U.S. and Russian forces to 1,500 warheads, rather than the 2,000-2,500 warheads outlined in the Helsinki Framework Agreement. And, because these discussions are linked to the talks on modifications to the ABM Treaty, some observers believe that the United States may agree to deeper cuts in offensive forces if Russia agrees to modify the ABM Treaty. Hence, according to this school of thought, START II implementation may be less relevant because the next round of negotiations could produce agreements that not only mandate deeper reductions in offensive forces, but meet both nations national security interests. Others, however, remain skeptical. They argue that it will be difficult for the United States and Russia to reach agreement on the details for START III, in part because the United States does not want to cut its forces as deeply as Russia has suggested. And, even if the two nations reach agreement on both START III and ABM modifications, there are no assurances that either sides' legislative branches will approve their ratification. The U.S. Senate, in particular, may consider rejecting the agreements because they either provide for too much reduction in U.S. offensive forces or too little relief from the constraints of the ABM Treaty. And Russia's Duma may object if it views the agreements as providing for too much relief from the ABM Treaty or not enough reduction in offensive forces. Hence, even if the vote on START II is viewed as an entry into further progress on the arms control agenda, the future remains uncertain.