At the stalemated Conference on Disarmament (CD), Russia recently urged states to pursue separate pacts to outlaw all arms in space and ban certain types of missiles already forswn by Russia and the United States. Chances for work on those two proposals or other long-standing subjects appear slim, however, as no issue commands the prerequisite consensus at the 65-member conference. The negotiating climate was further clouded in late February by the U.S. destruction of a faulty U.S. satellite.

Russian Foreign Minister Sergey Lavrov Feb. 12 submitted draft frameworks of the two agreements to the conference. The Geneva-based body convenes annually for three multiweek working periods but last negotiated a treaty, the Comprehensive Test Ban Treaty, in 1996. Members have been arguing since that time about what they should negotiate next.

Lavrov said his country’s initiatives were not intended to further complicate the ongoing struggle to adopt a CD work agenda. Beginning last year, members have focused debate on a compromise plan to launch negotiations to halt the production of key fissile materials, plutonium and highly enriched uranium, for weapons purposes. The draft agenda also calls for establishing less formal talks on outer space, nuclear disarmament, and assurances to non-nuclear-weapon states that they will not suffer nuclear attack.

Last year, all but three countries, China, Iran, and Pakistan, were prepared to accept that agenda. The trio argued, in part, that all the issues should be treated equally rather than giving priority to a U.S.- and Western-favored fissile material cutoff treaty (FMCT). European diplomatic sources in Geneva say that Algeria, Egypt, India, Israel, and Sri Lanka also harbor reservations about the proposed agenda.

Lavrov indicated that Russia’s outer space proposal, co-sponsored by China, was not in opposition to the draft agenda or an attempt to change it. Instead, he described the Russian proposal as having a “research mandate.” But Lavrov added, “We hope that subsequently, when appropriate conditions are there, our work can be channeled into a negotiating format.”

Similarly, Lavrov suggested that Russia was not seeking to graft its missile proposal on to the agenda. He said Russia was circulating the concept for “study” in hope of sparking a “constructive dialogue.”

Neither Russian proposal garnered a warm U.S. reception. Washington has long maintained that the existing 1967 Outer Space Treaty, which bans placing unconventional weapons in orbit, is sufficient. In its 2006 space security strategy, the Bush administration stated it would “oppose the development of new legal regimes or other restrictions that seek to prohibit or limit U.S. access to or use of space.” (See ACT, November 2006.)

The administration further contends that it would be difficult to ensure compliance with a space weapons ban because of the inherent ambiguity and dual-use capability of many space technologies and systems. For instance, a vessel used to conduct repairs on an orbiting satellite could alternatively damage or disable it.
In addition to proscribing the placement of any type of weapon in orbit or on celestial bodies, the draft Russian-Chinese treaty would obligate future states-parties “not to resort to the threat or use of force against outer space objects.” But Washington argues the measure would fail to prevent the research and development of air-, sea-, and land-based anti-satellite weapons, such as the system China used last year to destroy one of its aging satellites. (See ACT, March 2007.)

Seemingly underscoring its own point, the United States Feb. 20 smashed into small pieces a defunct U.S. satellite using a modified Standard Missile-3 interceptor, which is designed to counter short- to intermediate-range ballistic missiles. Many independent experts sharply questioned the stated U.S. justification for the action: protecting people against the slight possibility of injury or death from exposure to the satellite’s highly toxic hydrazine fuel.

Several days before the satellite intercept, Ambassador Christina Rocca, the U.S. permanent representative to the CD, said the proposed “engagement is not part of an anti-satellite development and testing program.” Moscow saw it differently. Reuters Feb. 16 quoted a Russian Defense Ministry statement accusing the United States of “going ahead for tests of an anti-satellite weapon. Such tests mean in essence the creation of a new strategic weapon.”

Two days later, Chinese Foreign Ministry spokesperson Liu Jianchao described China as “highly concerned.” After the incident, Liu asked the United States to share data on the resulting debris, which unlike that created by the Chinese satellite destruction is not expected to pose threats to other satellites or spacecraft because the U.S. strike took place at a much lower altitude, around 250 kilometers instead of approximately 850 kilometers. Consequently, the U.S.-created debris is lower than where most satellites operate and will more quickly be pulled into the Earth’s atmosphere and burned up on re-entry.

U.S. officials denied that they would alter additional anti-missile interceptors to transform them into satellite killers. General James Cartwright, vice chairman of the Joint Chiefs of Staff, told reporters Feb. 21 that the modifications are “not something that we would be entering into the service in some standard way.”

Increased U.S. interest in developing anti-ballistic missile defenses in the late 1990s helped fuel Chinese and Russian demands for a new space agreement to limit U.S. systems. The Bush administration has subsequently sought seed money for a so-called space-based missile defense test bed, but lawmakers have consistently denied it funding, including for the current fiscal year. Still, the administration Feb. 4 resurrected the $10 million request as part of its fiscal year 2009 budget proposal (see page 30).

Like the United States, Russia expresses concern about other states’ growing missile capabilities; unlike the United States, Russia has not turned to missile defenses. One of the Kremlin’s initial reactions was to contemplate withdrawing from the 1987 Intermediate-Range Nuclear Forces (INF) Treaty so Russia could legally field missiles comparable to those being developed by other countries. The INF Treaty bars the United States and Russia from possessing ground-launched cruise and ballistic missiles with ranges between 500 and 5,500 kilometers.

Moscow’s Feb. 12 missile proposal indicates it has shelved, at least momentarily, the withdrawal option in favor of exploring extending the INF Treaty prohibitions to other countries. The Russian proposal urges other states to complete an agreement to stop flight testing and producing ground-launched missiles with INF Treaty-banned ranges and destroy their stockpiles.

A Department of State official e-mailed Arms Control Today Feb. 14 that the Russian proposal was “well-intentioned” but “not…the best way to address” the spread of missiles. The spokesperson contended a “one-size-fits-all treaty” would be impractical because of “complex regional situations,” such as those in South Asia and the Middle East.

Notwithstanding its skepticism, the United States joined with Russia last October to encourage other states to renounce INF Treaty-class missiles. The spokesperson noted that no government has responded publicly to that petition.
Meanwhile, many appeals to China, Iran, and Pakistan to support the draft CD agenda have failed. Pakistan in particular remains adamant that the plan is unacceptable.

While calling for a balanced work program, Pakistan maintains the current FMCT negotiating mandate is flawed for not specifying that a final agreement must be effectively verifiable. That goal used to be a common conference aim, but the United States declared in 2004 that such an objective was unattainable and should not be a precondition to negotiations. (See ACT, September 2004.) Although disagreeing, most countries have relented to the U.S. position on the understanding that verification measures can be broached in actual negotiations.

Islamabad further insists that FMCT negotiations not begin unless countries can raise the possibility that a potential agreement might go beyond stopping fissile material production to dealing with existing stockpiles. Pakistan is worried about freezing the status quo in which India has a lot more fissile material and weapons potential than Pakistan. Pakistani concerns have been compounded by the U.S. campaign to roll back rules limiting India’s access to foreign nuclear technologies and fuel.

In a rare speech by a defense minister to the CD, Des Browne of the United Kingdom Feb. 5 urged all countries to drop preconditions for negotiations on an FMCT, which he described as a “key milestone” on the road to nuclear disarmament. Despite a preliminary decision last year to extend its nuclear weapons capability at least another two decades, Browne insisted the British government supports “a vision of a world free of nuclear weapons.” He said the United Kingdom would help advance that goal by hosting before 2010 a conference on verifying nuclear disarmament for personnel from British, Chinese, French, Russian, and U.S. nuclear laboratories.

UN Secretary-General Ban Ki-moon also took the atypical step Jan. 23 to travel to the conference and personally admonish it. Telling the CD that its successes were “distant memories,” Ban implored members to stop holding negotiations on one subject “hostage” to work on another. He warned the conference that it risked “losing its way.”

Conference members have until March 28 to set a course before the first working period expires. The conference will then reconvene May 12 to June 27 and July 28 to September 12.

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