

The 1997 START/ABM Package at a Glance

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In September 1997, representatives from the United States, Russia, Belarus, Kazakhstan, and Ukraine signed a package of agreements in New York designed to enhance the prospects for Russian ratification of START II and to clarify issues pertaining to the Anti-Ballistic Missile (ABM) Treaty. Efforts to bring the package into force have been terminated, however, following the signing of the Strategic Offensive Reductions Treaty (SORT) between Moscow and Washington in May 2002, the U.S. withdrawal from the ABM Treaty in June 2002, and Russia's subsequent announcement that it would no longer be bound by its START II commitments.

The package consisted of the START II extension protocol and associated agreements, a memorandum of understanding (MOU) on ABM Treaty succession, the first and second agreed statements on ABM-theater missile defense (TMD) demarcation, a confidence-building measures agreement related to TMD systems, and an agreement updating the regulations of the Standing Consultative Commission, a body composed of treaty party representatives that discusses implementing issues.

Russian President Boris Yeltsin transmitted these agreements to the Duma in April 1998. The Clinton administration stated that it would submit the START II documents, MOU on Succession, and both demarcation agreements to the Senate for its advice and consent on ratification after Russia ratified START II, but it failed to do so after Russia approved START II and the 1997 agreements in early 2000.

START II Protocol and Associated Agreements

- START II Protocol: Extended the time period for the completion of START II reductions from January 1, 2003 to December 31, 2007.
- Albright-Primakov letters on early deactivation: Upon START II's entry into force, the United States and Russia would deactivate all strategic nuclear delivery vehicles slated for elimination under the treaty (e.g. SS-18, SS-24, and MX missiles) by December 31, 2003 by "removing their nuclear reentry vehicles or taking other jointly agreed steps." Primakov's letter also contained a unilateral statement: "Taking into account the supreme national interests of the county, the Russian Federation proceeds from the understanding that well in advance of the above deactivation deadline the START III Treaty will be achieved and enter into force." Albright's letter took note of Russia's position.

- Joint Agreed Statement: Allowed the United States to "download" (remove warheads from) Minuteman III ICBMs under START II any time before December 31, 2007, the deadline for all START II-mandated reductions. Previously, the United States was required to download its Minuteman IIIs by December 5, 2001, seven years after START I's entry into force.

MOU on Succession to the ABM Treaty

- Designated the United States, Russia, Belarus, Kazakhstan and Ukraine as the parties to the ABM Treaty. Russia, Belarus, Kazakhstan, and Ukraine would assume the rights and obligations of the former Soviet Union under the treaty. In this way, they collectively would be limited to ABM deployment at a single site and a total of 15 ABM launchers at test ranges.
- Broadened the ABM Treaty's membership because a number of ABM-related facilities, required to operate Russia's ABM system, were located outside Russian territory after the collapse of the Soviet Union. Belarus, Kazakhstan, and Ukraine also regarded ABM Treaty membership as a key element of their independent status. The United States viewed the MOU as important because it recognized the states of the former Soviet Union that are bound by the treaty.
- Although the Clinton administration argued that the ABM Treaty was in force because the power to determine succession lies within the executive branch, it agreed in May 1997 to submit the MOU to the Senate for approval in connection with the ratification of an unrelated agreement associated with the Conventional Armed Forces in Europe Treaty. However, the MOU was never submitted.

First Agreed Statement on Demarcation

- Permitted the deployment of "lower-velocity" TMD systems (those with interceptor velocities of 3 kilometers per second or less) provided that they would not be tested against ballistic missile targets with velocities above 5 kilometers per second or ranges that exceeded 3,500 kilometers.

- Enabled the United States to deploy the Army's Patriot Advanced Capability-3 (PAC-3) and Theater High Altitude Area Defense (THAAD) systems, as well as the Navy's Area Defense system. Previously, the United States had reviewed these systems and declared them to be treaty-compliant.

Second Agreed Statement on Demarcation

- Prohibited the parties from testing "higher-velocity" TMD systems (those with interceptor velocities above 3 kilometers per second) against ballistic missile targets with velocities above 5 kilometers per second or ranges that exceeded 3,500 kilometers.
- Prohibited the development, testing or deployment of space-based TMD interceptor missiles, or space-based components based on other physical principles (such as lasers) which could be capable of substituting for such interceptor missiles.
- Allowed each side to determine its own compliance with respect to higher-velocity TMD systems. The United States had determined that the Navy's Theater-Wide Defense (NTWD) system was compliant with ABM Treaty requirements.

Confidence-Building Measures Agreement (CBMA)

- Ninety days after entry into force, the parties would conduct an initial exchange of information on TMD systems and components covered by the CBMA: U.S. THAAD and NTWD systems, as well as the Russian, Belarussian and Ukrainian SA-12 systems. (Kazakhstan does not possess the SA-12.). This information would be updated annually.
- Prior to testing, parties would notify one another of the test ranges that would be used to test a system governed under the CBMA. Ten days' advance notification was required prior to a TMD system test using ballistic missile targets.

Regulations of the Standing Consultative Commission (SCC)

- The United States and Soviet Union established operating regulations for the SCC in 1973. These regulations were revised after Russia, Belarus, Kazakhstan and Ukraine agreed to assume the rights and obligations of the former Soviet Union under the ABM Treaty.