

## On Some Aspects of the Joint Understanding for the START Follow-on Treaty, signed by U.S. and Russian Presidents during the Recent Summit Meeting

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Both U.S. and Russia officially expressed their satisfaction with results of U.S. President Barak Obama's visit to Moscow in July 6-7, 2009. At the same time there was both a positive and negative reaction in the media.<sup>2</sup> During the summit meeting of the U.S. and Russian Presidents several documents were signed that concern nuclear cooperation, transit of military personnel and equipment across Russia to support American and coalition forces in Afghanistan, military-to-military cooperation and missile defense issues. However, the focus of the media attention was on problems related with preparation of a new strategic arms reductions agreement that would replace START Treaty after its expiration in December 2009.<sup>3</sup> The document devoted to these issues has been entitled "[The Joint Understanding for the START Follow-on Treaty](#)." Basic elements of this document and interpretation of some of its provisions have been widely discussed in public media. Authors of many publications have concluded that contents of the document prove existence of a wide gap in attitudes of the sides. Supporting this finding we however believe that some of details of the document have not been adequately interpreted in expert analysis yet, and these details are crucial for understanding prospects of reaching a new agreement. Moreover, in our opinion the sides differ even in definitions, because the agreed document contains some internal contradictions.

According to the Provision 1 of the Joint Understanding "...each Party will reduce and limit its **strategic offensive arms** so that seven years after entry into force of the treaty and thereafter, the limits will be in the range of 500-1100 for **strategic delivery vehicles**, and in the range of 1500-1675 for **their associated warheads**..." (emphasis added).<sup>4</sup>

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<sup>2</sup> See, for example: Sergei Rogov, [Hakery Perezagruski Okazalis' v Proigrayshe](#) (Hacking Against Restarting Has Failed), *Nezavisimoye Voyennoye Obozreniye*, July 11 2009; Ralf Peters, [Desperate deal, Obama's Moscow giveaway](#), *New York Post*, July 7, 2009

<sup>3</sup> Retrospect of U.S.-Russian discussions and problems related with replacing START with a new agreement can be found, for example, in: Anatoli Diakov and Eugene Miasnikov, "[US-Russian Strategic Arms Control After 2009. Room For The Compromise?](#)" *Security Index*, vol. 4, Winter 2008, pp. 41-53

<sup>4</sup> [The Joint Understanding for the START Follow-on Treaty](#), The White House, Office of the Press Secretary, July 8, 2009,

This provision may seem apparent at a first glance. However, the crux is that the terms “**strategic offensive arms**,” “**strategic delivery vehicles**” and “**associated warheads**” are likely understood by the parties differently.

In START Treaty strategic delivery vehicles play a primary role, since agreed counting rules for permitted warhead numbers in this Treaty are based on numbers of delivery vehicles. The text of the Joint Understanding does not mention launchers for delivery vehicles, and this fact may result in a difficulty to succeed an agreement on how to interpret limits on ICBM and SLBM launchers.

According to START MOU Data by January 1, 2009 the U.S. have had 1198 deployed strategic delivery vehicles (550 deployed ICBMs and their associated launchers, 432 deployed SLBMs and their associated launchers, and 216 deployed heavy bombers). These figures also include 99 Minuteman-3 ICBM launchers, the missiles from which were unloaded and placed at storage. Besides that, four Trident submarines totally accounted for 96 SLBM launchers were converted to long range cruise missile carriers. All mentioned ICBM and SLBM launchers continue to be counted, since they have not been eliminated according to START rules. Agreed level of 1100 strategic delivery vehicles may allow the United States to easily accomplish the future agreement without any further cuts. To do that, the United States may introduce a new term “operationally deployed strategic delivery vehicles.” It would enable the U.S. side to reduce their ICBM launchers, whose ICBMs were placed at storage, by 100, and Trident strategic submarines converted to SSGNs by four.

Before the Moscow Presidential summit in July it seemed that the sides at least had come to an agreement on what delivery vehicles should be defined as “strategic” and limited. In any event, the U.S. officially admitted, that the subject of negotiations would be ICBMs, SLBMs and heavy bombers.<sup>5</sup> However, the text of the Joint Understanding suggests the opposite.

START Treaty is well known to limit **deployed** strategic delivery vehicles. At the same time this important word “deployed” is missing from the Joint Understanding. Therefore, it is hard to interpret what do the declared limits for delivery vehicles mean – limits on total numbers of delivery vehicles (deployed or placed at storage), **deployed** delivery vehicles or just **operationally deployed** delivery vehicles? Possibly, the key phrase in the Joint Understanding is “**their** (strategic delivery vehicles – *authors*) **associated warheads**.” It is quite apparent for experts, that the U.S. side is able to accomplish declared reductions, if the limits for warheads apply to **operationally deployed** warheads only.<sup>6</sup> If so, operationally deployed warheads may play a primary role in the START

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<sup>5</sup> Peter Baker, Amb. Sergei Kislyak, Rose Gottemoeller, [Luncheon: Whither U.S. – Russian Relations?](#), 2009 Carnegie International Nonproliferation Conference, April 7, 2009.

<sup>6</sup> The Moscow Treaty of 2002 limits “strategic nuclear warheads.” For purposes of the Moscow Treaty the U.S. side unilaterally uses a term “operationally deployed strategic nuclear warheads” which means reentry vehicles on ICBMs in their launchers, reentry vehicles on SLBMs in their launchers on board submarines, and nuclear armaments loaded on heavy bombers or stored in weapons storage areas of heavy bomber bases.

follow-on treaty, and the new treaty would limit only the strategic delivery vehicles associated with such warheads.

It is unlikely, that the U.S. side will change its current interpretation for limits on strategic warheads. Such an attitude does not assume introducing any similar counting rules for nuclear warheads associated with deployed ICBMs, SLBMs and heavy bombers as START had. Thus, any type of ICBM, SLBM and heavy bomber may be officially modified, created or tested with any number of warheads, provided that the number of de facto deployed strategic nuclear warheads would not exceed the agreed limit for warheads. In other words, the new treaty will unlikely set any limit on “upload potential”.

If so, it is hard to understand the Russian consent with such an approach. It seemed that the very sense of its proposal to limit delivery vehicles was setting up a cap on “upload potential,” and also cover by limits those strategic delivery vehicles that were converted to conventional missions or temporarily placed at storage. Most likely, the sides have not yet reached an agreement on what kind of strategic delivery vehicles should be limited. A wide gap for permitted numbers of strategic delivery vehicles is another indication to support our conclusion.

By the way, it is notable that the Joint Statement does not distinguish between nuclear and non-nuclear warheads. One may assume, that the U.S. side agreed to include non-nuclear warheads deployed on strategic delivery vehicles in permitted totals. Nevertheless, the following estimates make this assumption highly improbable.

In accordance with plans for Moscow Treaty reductions the United States aimed to deploy 450 Minuteman-3 ICBMs with 1, 2 or 3 warheads each.<sup>7</sup> Thus, the number of strategic warheads on ICBMs would exceed 450. The number of submarines carrying Trident-2 SLBMs is 14, however, since typically two of these submarines are in scheduled overhaul at their repair facilities, the U.S. sides considers operationally deployed warheads on 12 Trident submarines only. Taking into account that 24 SLBM launchers are deployed on each submarine, and the number of warheads on Trident-2 missile was downloaded from 8 to 4, the aggregate number of operationally deployed warheads in the sea-based component of U.S. strategic forces is 1152. Thus, no more than 73 warheads will be left for heavy bombers in order to be within the limit of 1675 permitted warheads agreed in the Joint Understanding. Even if we assume that Conventional Trident Modification program is implemented and two SLBM launchers on each strategic submarine are modified to carry conventionally armed missiles, the quota for the air leg of the U.S triad would not exceed 169 warheads.

Provision 6 of the Joint Understanding saying that the next treaty should also address “...*the impact of intercontinental ballistic missiles and submarine-launched ballistic missiles in a non-nuclear configuration on strategic stability...*” is also worth of paying an attention. As pointed out above, START does not differentiate between nuclear or conventionally armed strategic ballistic missiles. All such ICBMs and SLBMs are

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<sup>7</sup> See, for example: Robert S. Norris and Hans M. Kristensen, [Nuclear Notebook: U.S. Nuclear Forces, 2009](#), *Bulletin of Atomic Scientists*, March/April, 2009, pp.59-68

accountable as well as warheads associated with them. The Provision 6 would have been excessive, if the sides agreed on similar understanding of strategic delivery vehicles as in START. The very existence of this provision demonstrates that the sides have not come yet to a consensus on what delivery vehicles should be considered as “strategic”.

If strategic delivery vehicles are defined as the United States side insists (i.e. delivery vehicles that carry nuclear warheads only), Russia might not gain much by including a provision on basing strategic offensive arms exclusively on the national territory of each Party (Provision 7). Most likely the Russian side insisted on this provision in order to prevent deployments in a close proximity to the Russian territory of U.S. heavy bombers declared as assigned to conventional missions (but, in fact, technically capable to carry nuclear attacks) in potential military conflict zones. It is apparent that by the “new” understanding such bombers would not be counted as “strategic delivery vehicles”, therefore they would not be subject to Provision 7.

Appearance of the Provision 5 in the Joint Understanding on the interrelationship of strategic offensive and strategic defensive arms seems surprising to some extent. It is well known that the Joint Statement of April 1 2009 signed in London did not mention strategic defensive systems as a subject for negotiations on START follow-on treaty. The Russian side has likely put significant efforts to insist on including this provision. However, the text of another document signed by U.S. and Russian Presidents in July 2009, - [The Joint Statement on Missile Defense Issues](#), - contains no mentioning of term “missile defense” except in its title. In fact it says about cooperation in responding to the challenge of ballistic missile proliferation, or, in other words, it states the U.S. concept, presented for justification of their plans for deployment of ballistic missile defenses in Europe.

It is well known that former U.S.-Soviet (Russian) strategic arms control agreements were linked to the 1972 ABM Treaty. The U.S. abrogated the ABM Treaty in 2002, and Russia had a legal right to withdraw from START, but it had chosen not to apply this option. Currently there are no bilateral agreements between the U.S. and Russia limiting ballistic missile defenses, therefore it is unclear what would the Provision 5 base upon. One may assume that the Russian side counts on getting some unilateral obligations from the U.S. to limit their ballistic missile defenses, and considers such obligations as an integral part for concluding a START follow-on agreement. The Russian hopes, however, are on a vague ground. According to U.S. officials, ballistic missile defenses are not going to be a bargaining chip in the forthcoming talks.<sup>8</sup> Most likely, after concluding the START follow-on treaty, the U.S. will carry endless discussions on ballistic missile defenses without suggesting real measures aimed at curtailing their plans in the area of deploying a global missile defense system.

Finally, have the frames of a START follow-on agreement become clearer?

Both sides do reveal their interest in concluding a new accord, but, as it was expected, - for different reasons. Russia has a few chances if any to defend its position on ballistic

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<sup>8</sup> [Philip J. Crowley Assistant Secretary Daily Press Briefing](#), Washington, DC, July 10, 2009

missile defenses, strategic delivery vehicles and long range submarine launched cruise missiles. Unfortunately, the document signed in Moscow suggests that the U.S. approach is overweighing. It is also important to understand that the numerical limits indicated in the document will not require the sides to eliminate offensive arms. Even if the limit on strategic delivery vehicles will finally become lower than 1100 indicated in the Joint Statement, (and such a fact will be likely claimed as a victory of the Russian diplomacy) it might not lead to any additional reductions of U.S. strategic forces. Most likely, the sides will do the same thing as they did in the Moscow treaty – change definitions to get lower numbers for appearance of reductions. If they counted in “inches” in the past, now they are going to count in “feet”. Therefore, there is a danger that a new agreement will repeat the fate of the Moscow Treaty and become de-facto just a declaration of intents, so that each side interprets its intent in its own way. Certainly, if the level of confidence between the sides is strong enough, the peculiarities of counting rules may not be so critically important. Otherwise, however, the new agreement may become another irritator in the U.S.-Russian relations. In any event, such an agreement is not going to become a bridge toward further, deeper reductions.