



# BI-WEEKLY TREATY REVIEW



10 February 2009 – 23 February 2009

**DTRA**

## CHEMICAL WEAPONS CONVENTION (CWC)

### **Iraq Designates National Authority for the Chemical Weapons Convention**

OPCW, 16 February 2009, <http://www.opcw.org/>

In compliance with its obligations under the Chemical Weapons Convention (CWC), the Republic of Iraq has informed the OPCW that it has established the Iraqi National Monitoring Directorate, which will assume the functions of its National Authority. (264 words)

[Click here for full text.](#)

### **Inspectors Visit U.S. Chemical Weapons Depot**

Global Security Newswire, 18 February 2009, <http://www.globalsecuritynewswire.org/>

International inspectors this month visited a U.S. chemical weapons depot in Kentucky to assess its storage of munitions eventually set for destruction under [the CWC], the Richmond Register reported Saturday [February 14]. (172 words) [Click here for full text.](#)

### **Global Chemical Weapons Disarmament Operations Approach Halfway Mark**

Global Security Newswire, 20 February 2009, <http://www.globalsecuritynewswire.org/>

More than 40 percent of the known global stockpile of chemical warfare materials has been destroyed, the monitoring agency for [the CWC] announced today [February 20]. (310 words)

[Click here for full text.](#)

## CLUSTER MUNITIONS

### **Senators Leahy and Feinstein Introduce Bill to Reduce Cluster Munitions' Danger to Innocent Civilians**

Press Release, 12 February 2009, <http://leahy.senate.gov/>

U.S. Senators Dianne Feinstein (D-Calif.) and Patrick Leahy (D-Vt.) this week introduced legislation to restrict the use or deployment of dangerous cluster munitions. (425 words)

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## CONVENTION ON CERTAIN CONVENTIONAL WEAPONS (CCW)

### **Negotiations on Cluster Munitions Continue Under a New Chair of the CCW Governmental Experts Group**

UN Office of Geneva, 20 February 2009, <http://www.unog.ch/>

The First 2009 Session of the Group of Governmental Experts of the Convention on Certain Conventional Weapons (CCW) took place this week from 16 to 20 February at the Palais des Nations, Geneva. (519 words) [Click here for full text.](#)

## STRATEGIC OFFENSIVE REDUCTION TREATY (SORT)

### **U.S. Meets Moscow Treaty Nuclear Reduction Commitment Three Years Early**

Global Security Newswire, 11 February 2009, <http://www.globalsecuritynewswire.org/>

The United States in recent days met its Moscow Treaty commitment to reduce the number of deployed strategic warheads to 2,200, more than three years ahead of schedule, the Federation of American Scientists [FAS] reported this week. (579 words) [Click here for full text.](#)

## STRATEGIC ARMS REDUCTION TREATY (START)

### **Nunn-Lugar Program Eliminates Two More ICBMs**

Press Release, 18 February 2009, <http://lugar.senate.gov/>

U.S. Sen. Dick Lugar announced the accomplishments for the Nunn-Lugar Cooperative Threat Reduction program in January... (475 words) [Click here for full text.](#)

### **Russia Outlines Strategic Arms Control Goals**

Global Security Newswire, 20 February 2009, <http://www.globalsecuritynewswire.org/>

Russia hopes it can negotiate a new arms control agreement with the United States that will encompass nuclear warheads and their delivery vehicles, Foreign Minister Sergei Lavrov said yesterday [February 19]. (265 words) [Click here for full text.](#)



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## TREATY ON CONVENTIONAL FORCES IN EUROPE (CFE)

### **Russia Says New NATO Members Must Ratify Adapted CFE Treaty**

*RIA Novosti, 10 February 2009, <http://en.rian.ru/>*

Moscow will lift its moratorium on a major arms reduction treaty in Europe only after new NATO members ratify the adopted version of the document, Russia's NATO envoy said on Tuesday [February 10]. (308 words) [Click here for full text.](#)

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## Iraq Designates National Authority for the Chemical Weapons Convention

OPCW, 16 February 2009, <http://www.opcw.org/>

In compliance with its obligations under the Chemical Weapons Convention (CWC), the Republic of Iraq has informed the OPCW that it has established the Iraqi National Monitoring Directorate, which will assume the functions of its National Authority.

The announcement came on February 12, 2009, the same day that the CWC entered into force for Iraq, officially making it the 186th State Party to the Convention. As of today, 178 of these States Parties have established or designated National Authorities.

A National Authority is crucial to ensuring the effective implementation of the CWC within each State Party's national jurisdiction. Article VII, paragraph 4 of the Convention states: "In order to fulfill its obligations under this Convention, each State Party shall designate or establish a National Authority to serve as the national focal point for effective liaison with the Organization and other States Parties. Each State Party shall notify the Organization of its National Authority at the time that this Convention enters into force for it."

The National Authority has the responsibility of implementing the provisions of CWC at the national level. To meet its basic obligations, each State Party must be able to submit all required declarations, communicate with the OPCW, cooperate with other States Parties, facilitate OPCW inspections, respond to OPCW requests for assistance, protect the confidentiality of classified information, monitor and enforce national compliance, and cooperate in the peaceful uses of chemistry. States Parties are also obliged to declare and to eliminate all chemical weapons stockpiles and chemical weapons production facilities. The National Authority plays an indispensable role in all of these activities.

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International inspectors this month visited a U.S. chemical weapons depot in Kentucky to assess its storage of munitions eventually set for destruction under Chemical Weapons Convention, the *Richmond Register* reported Saturday [February 14].

This was the 13th inspection of Blue Grass Chemical Activity conducted by the Hague-based Organization for the Prohibition of Chemical Weapons, which is responsible for monitoring the destruction of chemical weapons worldwide. The inspectors began a four-day visit on February 2 to verify the correct accounting and storage of weapons at the Blue Grass Army Depot.

"I was especially proud of the men and women of Blue Grass Chemical Activity," said site official Johnnie Allen. "To do a complete inventory of 45 igloos containing in excess of 100,000 individual weapons in such a short time called for extraordinary coordination between my toxic chemical workers and the inspectors. We were able to keep up with their very ambitious work schedule while always providing the utmost in personal safety for the inspectors, their escorts, the guards and our toxic chemical workers."

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## Global Chemical Weapons Disarmament Operations Approach Halfway Mark

*Global Security Newswire, 20 February 2009, <http://www.globalsecuritynewswire.org/>*

More than 40 percent of the known global stockpile of chemical warfare materials has been destroyed, the monitoring agency for Chemical Weapons Convention announced today [February 20].

A total of 29,741 metric tons of Category 1 chemical agents, materials that have essentially no applications other than as chemical weapons, had been verifiably destroyed as of January 31, according to the Organization for the Prohibition of Chemical Weapons. That is 42.8 percent of the more than 71,000 metric tons of banned materials once held by the six states that have declared stockpiles under the treaty – Albania, Libya, India, Russia, the United States and an anonymous state...

That figure does not encompass chemical weapons abandoned by Japan in China at the end of World War II. Another 915 metric tons of Category 2 chemical weapons, which do have commercial applications and are considered less threatening to the treaty, have been eliminated.

Russia by the end of last month had destroyed 11,960 metric tons of Category 1 chemical warfare materials, 29.8 percent of its world's-largest stockpile. Three disposal plants are operating and the facility at Shchuchye is scheduled to begin tests using live chemical agent on March 5, according to a press release taken from OPCW Director General Rogelio Pflirter's statement Tuesday to the agency's Executive Council

The United States has finished off 16,126 metric tons of material, 58 percent of the nation's stockpile. Disposal is complete or under way at all but two U.S. chemical weapons storage sites.

India has eliminated 98.2 percent of its stockpile and operations are expected to be completed by April 29.

Albania and [the anonymous state] have already completed elimination of their stockpiles.

Libya has not yet started work on its small stockpile.

China and Japan recently finished a trial excavation of weapons from one site but have not built any destruction facilities or eliminated any weapons.



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## Senators Leahy and Feinstein Introduce Bill to Reduce Cluster Munitions' Danger to Innocent Civilians

Press Release, 12 February 2009, <http://leahy.senate.gov/>

U.S. Senators Dianne Feinstein (D-Calif.) and Patrick Leahy (D-Vt.) this week introduced legislation to restrict the use or deployment of dangerous cluster munitions.

Leahy, who has worked for years to protect civilians from cluster munitions, said: "Anyone who has seen the devastation cluster munitions cause over wide areas understands the unacceptable harm they cause to civilians. Any weapon, whether cluster munitions, landmines, or even poison gas, has some military utility, but this is an important step to protect the innocent from these indiscriminate weapons. I urge the Pentagon to work with us by supporting this bill, and I urge the Obama Administration to review its policy with a view toward putting the United States on a path to join the Convention on Cluster Munitions as soon as possible."

The Feinstein-Leahy measure would prevent any U.S. military funds from being spent to use or deploy cluster munitions:

- that have a failure rate of more than one percent,
- unless the rules of engagement specify:
- the cluster munitions will only be used against clearly defined military targets and;
- will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill also requires the President to submit a report to the appropriate congressional committees on the plan to clean up unexploded cluster bombs.

Finally, the bill includes a national security waiver that allows the President to waive the prohibition on the use of cluster bombs with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States to do so.

The Senate measure is also sponsored by Senators Barbara Boxer (D-Calif.), Sherrod Brown (D-Ohio), Benjamin Cardin (D-Md.), Robert Casey (D-Pa.), Richard Durbin (D-Ill.), Russ Feingold (D-Wisc.), Edward Kennedy (D-Mass.), Barbara Mikulski (D-Md.), Robert Menendez (D-N.J.), Jeff Merkley (D-Ore.), Bernard Sanders (I-Vt.), Debbie Stabenow (D-Mich.), and Sheldon Whitehouse (D-R.I.).

Companion legislation was introduced in the House by Rep. James McGovern (D-Mass.).

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In 2007, Congress passed and President Bush signed into law a provision in the FY 2008 Consolidated Appropriations Act sponsored by Leahy and Feinstein that prohibited the sale and transfer of cluster bombs with a failure rate of more than one percent.

More recently, the Senate Appropriations Committee approved the FY 2009 State, Foreign Operations and Related Programs Appropriations bill renewing the ban on the sale or transfer for another year. Leahy chairs the Appropriations Subcommittee on State Department and Foreign Operations, which wrote the bill [...]

[For further background information on cluster munitions, visit <http://leahy.senate.gov/press/200902/021109c.html>]

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## Negotiations on Cluster Munitions Continue Under a New Chair of the CCW Governmental Experts Group

UN Office of Geneva, 20 February 2009, <http://www.unog.ch/>

The First 2009 Session of the Group of Governmental Experts of the Convention on Certain Conventional Weapons (CCW) took place this week from 16 to 20 February at the Palais des Nations, Geneva. The Group was mandated by the CCW States parties to continue its negotiations to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations. The Group had started negotiations on cluster munitions last year and had met for seven weeks of five sessions throughout 2008. At its fifth session in November the Group fell short of concluding the negotiations, thus the Meeting of the High Contracting Parties (Geneva, 13 – 14 November 2008) adopted a new mandate for the Group to continue working “as rapidly as possible and report to the next Meeting of High Contracting Parties.”

Unlike previous practice, the Chair of the Group, Mr. Gustavo Ainchil of Argentina, had not produced a program of work for the session in order to maintain a degree of flexibility and dynamism to the challenging task he is confronted with. Instead he convened a series of informal consultations in small groups throughout the duration of the session at which he encouraged frank and transparent discussion among delegations of all States parties and observers on outstanding issues included in “Elements for discussion” – non-papers presented by him as basis for the deliberations.

At the end of the session, Mr. Gustavo Ainchil tabled a consolidated Chair’s text, which was annexed to the report of the meeting and will constitute the basis for the negotiations during the second session of the Group.

The Second 2009 Session of the Group of Governmental Experts will take place from 14 to 17 April 2009.

### *Background*

The humanitarian impact of cluster munitions has been discussed within the [CCW] since 2001, first under a broader theme of explosive remnants of war, and since 2007 as the main item of the agenda of the Group of Governmental Experts.

The Meeting of the High Contracting Parties to the Convention that was held on 13 and 14 November 2008 decided that:

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“The Group of Governmental Experts (GGE) will continue its negotiations, taking into account document CCW/GGE/2008-V/WP.1 and other present and future proposals by delegations, to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations.

The GGE should make every effort to conclude its negotiations as rapidly as possible and report to the next Meeting of High Contracting Parties. The work of the GGE will be supported by military and technical experts. The GGE will meet up to two weeks in 2009, from 16 to 20 February 2009 and subsequently, if required, from 14 to 17 April 2009.”

The 1980 Convention was opened for signature at New York on 10 April 1981 and entered into force on 2 December 1983. It currently has 108 States Parties. The Secretary-General of the United Nations is the depositary of the Convention.

For more information pertaining to the CCW, consult the official website of the CCW as part of the website of the United Nations Office at Geneva (UNOG) at: <http://www.unog.ch/ccw>.

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## **U.S. Meets Moscow Treaty Nuclear Reduction Commitment Three Years Early**

*Global Security Newswire*, 11 February 2009, <http://www.globalsecuritynewswire.org/>

The United States in recent days met its Moscow Treaty commitment to reduce the number of deployed strategic warheads to 2,200, more than three years ahead of schedule, the Federation of American Scientists [FAS] reported this week.

"As of today, a total of 2,200 strategic warheads are deployed on ballistic missiles and at long-range bomber bases. The reduction was initially planned to be met in 2012, then 2010, but was achieved a few days ago," according to Hans Kristensen, head of the FAS Nuclear Information Project.

The 2002 Strategic Offensive Reductions Treaty [SORT] required Russia and the United States to cut their arsenals of "operationally deployed strategic warheads" to less than 2,200 each. The weapons are defined in the treaty as "re-entry vehicles on intercontinental ballistic missiles (ICBMs) in their launchers, re-entry vehicles on submarine-launched ballistic missiles (SLBMs) in their launchers on board submarines, and nuclear armaments on heavy bombers or stored in weapons storage areas of heavy bomber bases."

Russia still has about 2,700 deployed strategic warheads, Kristensen said.

"They have a little further to go but they're right behind us," he told Global Security Newswire.

Moscow appears on schedule to meet the 2012 deadline and then intends to continue reductions to 1,800 of the warheads by 2015. For the moment, it appears that the U.S. Defense Department will plateau at between 2,100 and 2,200 deployed strategic warheads while awaiting further direction from the Obama administration on possible additional drawdowns, Kristensen said.

In an upcoming article for the Bulletin of the Atomic Scientists, Kristensen and Robert Norris of the Natural Resources Defense Council argue there is significant confusion regarding the size of the U.S. nuclear arsenal and the types of weapons in the stockpile.

The stockpile – the exact size of which is classified – is likely to contain about 5,200 warheads, according to Kristensen and Norris. Of those, 2,200 strategic warheads and 500 tactical warheads are actually operationally deployed.

Another 4,200 weapons remain intact but are set for dismantlement and no longer considered part of the stockpile. Including those warheads brings the total U.S. count to roughly 9,400.

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The numbers would be important if the Obama administration moves ahead with its declared intention to further reduce the size of the U.S. nuclear stockpile. News reports have suggested that the administration might seek an 80 percent cut to the stockpile, while one official said "nobody would be surprised if the number reduced to the 1,000 mark" under a potential follow-up pact to the U.S.-Russian Strategic Arms Reduction Treaty [START], which expires at the end of this year.

"It matters a great deal whether the cut will be of the total stockpile or just the 'operationally deployed strategic warheads,'" Kristensen wrote on the FAS Web site. "An 80 percent cut in the 5,200-warhead stockpile corresponds to approximately 1,000 warheads. A reduction of the START number limit (6,000 warheads) by 80 percent would leave about 1,200 warheads. Cutting the SORT limit (2,200 warheads) to 1,000 would be a reduction of about 54 percent.

"If the total stockpile were reduced to 1,000 warheads, only a portion of them would presumably be deployed," he added. "Using the current ratio (52 percent) that would mean only 520 of the 1,000 warheads would be deployed with the balance in reserve. The entire ICBM force today carries about 520 warheads, but it is doubtful that a [nuclear] triad could be justified with so few operational warheads. There are some hard choices ahead about which leg to cut."

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## Nunn-Lugar Program Eliminates Two More ICBMs

Press Release, 18 February 2009, <http://lugar.senate.gov/>

U.S. Sen. Dick Lugar announced the following accomplishments for the Nunn-Lugar Cooperative Threat Reduction program in January:

- 2 intercontinental ballistic missiles (ICBMs) destroyed; and
- 3 nuclear weapons transport train shipments secured.

In December 2008, Lugar met with Russian officials to discuss the future of U.S.-Russia relations, current financial and energy issues, and arms control issues including the START and Moscow Treaties. Lugar met with Foreign Minister Lavrov, Rosatom Nuclear Energy State Corporation Director Sergei Kiriyenko, and General Vladimir Verkhovtsev, chief of the 12th Main Directorate, which is responsible for Russia's nuclear weapons arsenal and cooperates closely with the Nunn-Lugar Cooperative Threat Reduction program. On his return, he reported his findings to President Barack Obama, Secretary of State Hillary Clinton and National Security Advisor James Jones.

In November 1991, Lugar (R-IN) and Sen. Sam Nunn (D-GA) authored the Nunn-Lugar Act, which established the Cooperative Threat Reduction Program. This program has provided U.S. funding and expertise to help the former Soviet Union safeguard and dismantle its enormous stockpiles of nuclear, chemical and biological weapons, related materials, and delivery systems. In 2003, Congress adopted the Nunn-Lugar Expansion Act, which authorized the Nunn-Lugar program to operate outside the former Soviet Union to address proliferation threats. In 2004, Nunn-Lugar funds were committed for the first time outside of the former Soviet Union to destroy chemical weapons in Albania, under a Lugar-led expansion of the program. In 2007, Lugar announced the complete destruction of Albania's chemical weapons.

The Nunn-Lugar scorecard now totals:

- 7,504 strategic nuclear warheads deactivated,
- 744 ICBMs destroyed,
- 496 ICBM silos eliminated,
- 143 ICBM mobile launchers destroyed,
- 633 submarine launched ballistic missiles (SLBMs) eliminated,
- 476 SLBM launchers eliminated,
- 31 nuclear submarines capable of launching ballistic missiles destroyed,
- 155 bombers eliminated,
- 906 nuclear air-to-surface missiles (ASMs) destroyed,
- 194 nuclear test tunnels eliminated,

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- 425 nuclear weapons transport train shipments secured,
- upgraded security at 24 nuclear weapons storage sites,
- and built and equipped 16 biological monitoring stations.

Perhaps most importantly, Ukraine, Kazakhstan, and Belarus are nuclear weapons-free as a result of cooperative efforts under the Nunn-Lugar program. Those countries were the third, fourth and eighth largest nuclear weapons powers in the world.

Beyond nuclear, chemical and biological elimination, the Nunn-Lugar program has worked to reemploy scientists and facilities related to weapons of mass destruction in peaceful research initiatives. The International Science and Technology Centers, of which the United States is the leading sponsor, engaged 58,000 former weapons scientists in peaceful work. The National Nuclear Security Administration's Global Initiatives for Proliferation Prevention program has funded over 750 projects, engaging thousands of former weapons scientists at over 180 facilities and resulting in the creation of 2,300 new peaceful high-tech jobs.

Lugar makes annual oversight trips to Nunn-Lugar sites around the world.

The Nunn-Lugar program: <http://lugar.senate.gov/nunnlugar/>

The Nunn-Lugar scorecard: <http://lugar.senate.gov/nunnlugar/scorecard.html>

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## Russia Outlines Strategic Arms Control Goals

*Global Security Newswire, 20 February 2009, <http://www.globalsecuritynewswire.org/>*

Russia hopes it can negotiate a new arms control agreement with the United States that will encompass nuclear warheads and their delivery vehicles, Foreign Minister Sergei Lavrov said yesterday [February 19].

Under pressure to reach a new agreement before the 1991 Strategic Arms Reduction Treaty [START] expires in December, the two governments have agreed to hold talks, but Russian demands could exceed U.S. goals, the Associated Press reported.

Lavrov said a new deal should encompass both deployed warheads and those in storage, a distinction that featured prominently in the 2002 Strategic Offensive Reductions Treaty [SORT] that only reduced deployed strategic warheads.

"We do not want to leave a chance for [missiles] to be quickly fitted with warheads from warehouses," Lavrov told reporters. In addition, he said Russia would seek limits on delivery vehicles, the bombers, missiles and submarines that carry nuclear nuclear warheads, much like the START agreement does.

"We want to keep the agreement, which limits them, and to apply it to all carriers," he said. "So far the U.S. is avoiding this."

The Bush administration did oppose new limits to delivery vehicles, and the Obama administration has not yet offered any specific proposals to Russia, AP reported. Officials have, however, hinted that the United States would be willing to pursue significantly deeper warhead reductions.

Lavrov also criticized Bush administration plans to arm strategic missiles with conventional warheads, an effort that was largely rejected by U.S. lawmakers.

"These weapons raise serious questions because modern missile tracking systems cannot tell the difference between a carrier with a nuclear warhead and a non-nuclear carrier," he said.

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# BI-WEEKLY TREATY REVIEW



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**DTRA**

## Russia Says New NATO Members Must Ratify Adapted CFE Treaty

RIA Novosti, 10 February 2009, <http://en.rian.ru/>

Moscow will lift its moratorium on a major arms reduction treaty in Europe only after new NATO members ratify the adopted version of the document, Russia's NATO envoy said on Tuesday [February 10].

Russia imposed a unilateral moratorium on the Conventional Forces in Europe (CFE) treaty in December 2007, citing concerns over NATO's eastward expansion and the alleged refusal of the alliance's new members to ratify its adopted version.

"Russia has already clearly stated its position on this issue – we are waiting for countries that have recently joined NATO to ratify the adopted CFE treaty," Dmitry Rogozin said during a video link-up between Moscow and Brussels.

Moscow considers the original CFE treaty, signed in December 1990 by 16 NATO countries and six Warsaw Pact members, to be discriminatory and outdated since it does not reflect the dissolution of the Eastern Bloc, the breakup of the Soviet Union, or recent NATO expansion.

Russia has repeatedly said it will resume its participation in the CFE if NATO countries ratify the adapted version of the treaty, signed on November 19, 1999 and so far ratified only by Russia, Ukraine, Belarus and Kazakhstan.

"Russia, certainly, stands for preserving the mechanism of controls over armaments in Europe, and we want to know what is going on [in this respect] in other countries. Nobody likes it when large weapons stockpiles and military contingents are amassed near a country's borders," Rogozin said.

According to the Russian envoy, Moscow demands the transparency of NATO's eastward expansion, including such aspects as the amount of military equipment in the arsenals of new NATO members, the nature of NATO's military infrastructure in these countries, and the potential targets of military and nuclear strikes conducted from their territories.

"We certainly know the answers to these questions, but we would like to hear these answers [from NATO] in public," Rogozin said.



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