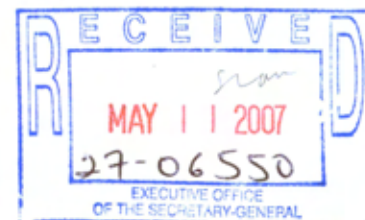
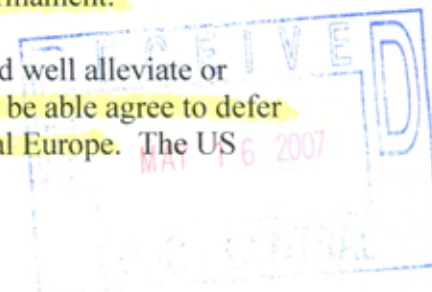


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COPY #WSNote to the Secretary-General**IMPLICATIONS OF MISSILE-DEFENCE DEVELOPMENTS IN CENTRAL EUROPE**

1. **Summary.** Efforts to advance global nuclear disarmament and conventional arms control have long had to confront challenges arising from regional contexts – notably in the Middle East, South Asia, and East Asia. Recent developments in Central Europe are now posing such challenges. This Note identifies these issues, assesses their significance, and offers a recommended course of action for the Secretary-General.
2. **Developments.** In his annual address to the Federal Assembly on 26 April, President Putin criticized the planned US deployment of a missile defence system in the Czech Republic and Poland, as well as the failure of NATO states to ratify – or in some cases even to sign – the Treaty on Conventional Armed Forces (CFE) in Europe (as adapted in 1999). He stated that Russia would observe a moratorium on compliance with that treaty until all NATO members ratify it. Widely hailed as the “cornerstone of European security”, the treaty has resulted in the elimination of over 50,000 tanks, armoured combat vehicles, artillery pieces, combat aircraft and attack helicopters – as verified by over 4,000 on-site inspections.
3. The Russia-NATO Council discussed the issue on 10 May. General Yuri Baluyevsky, the Chief of the Russian General Staff, stated afterwards that the CFE Treaty was “on the verge of collapse”. The United States and Russian foreign and defence ministers will address this issue at a meeting tentatively scheduled for September. Secretary of State Rice will visit Moscow on 14-15 May to discuss missile-defence and other issues.
4. Visiting Moscow on 23 April, US Secretary of Defense Gates had proposed a missile-defence “partnership” with Russia. On 26 April, US Secretary of State Rice stated that it was “ludicrous” to claim that the US deployments in Central Europe would threaten Russian security.
5. Earlier reports have indicated that Russia is also considering a withdrawal from the 1987 Intermediate-range Nuclear Forces (INF) Treaty, which eliminated all US and former Soviet missiles with a range between 500-5500 km. President Putin raised this issue in Munich on 10 February, noting that many states not covered by that treaty are now building such missiles.
6. While both the INF and CFE treaties contain withdrawal clauses, Russia has not yet announced its official intention to withdraw from either treaty.
7. **Assessment.** In terms of treaty implications, the worst outcome would include a Russian withdrawal from both the INF and CFE treaties, and a stalemate leading to the lapsing of the Strategic Arms Reduction Treaty in 2009, and new pressure on the NPT amid indications of a global arms race involving both nuclear weapons and missiles. The collapse of these two treaties would also be a major blow to a long-standing UN goal of “general and complete disarmament”, a goal that encompasses both conventional arms control and nuclear disarmament.
8. More optimistically, diplomatic initiatives among the parties could well alleviate or remove threats to both treaties. It is possible that the US and Russia may be able agree to defer or otherwise modify the planned deployment of missile defence in Central Europe. The US



Congress may also delay or prevent deployment of some or all of these missile-defence projects – earlier this week, a key House committee deleted funds for the missile defence site in Poland. An arrangement to allow NATO countries to ratify the 1999 CFE agreement, could well end the Russian moratorium on compliance.

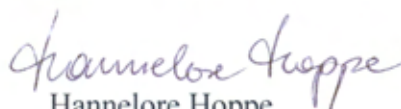
9. The INF Treaty is bilateral and the CFE Treaty is regional – neither qualifies as a fully multilateral instrument. There is little the Secretary-General can do to influence the ultimate fate of either treaty, other than to reaffirm their importance to international peace and security and the rule of law, to call for dialogue and diplomatic engagement among the parties, and to monitor closely new developments.

10. Many of the difficulties discussed above relate to the lack of multilateral legal norms concerning missiles and missile defences, as noted by the Secretary-General in his statement of 15 April 1999 (SG/SM/6960). The U.S. withdrawal from the bilateral Anti-Ballistic Missile (ABM) Treaty in 2002 eliminated the ban on developing, deploying, or exporting ABM systems. Projects are underway in several regions to develop long-range missiles that are capable of delivering nuclear weapons, while missile research and development continues in all states that possess such weapons. The norms of the Missile Technology Control Regime are not universal, not binding, lack transparency, are reversible, and have no mechanism to enforce compliance.

11. In the absence of any progress in disarmament or arms control in the field of missiles, more countries are seeking to acquire or to improve missile-defence capabilities. And as these capabilities grow, so will the motivation to expand the production of offensive missile systems, and to adopt other means (multiple warheads, stealth, increased mobility, etc.) to defeat the new defences. In short, we may already be witnessing the dawn of a global missile race, of which events in Central Europe are only a part.

12. The General Assembly has adopted seven resolutions (all sponsored by Iran) on missiles since 1999, featuring the establishment of panels of governmental experts to study the issue, with the latest panel to submit its report next year. Such resolutions, however, have yet to produce a broad consensus on what to do about this problem – they have instead provided a forum for some states to criticize the discriminatory nature of the international missile export control regime.

13. **Recommendation.** The Secretary-General may wish in his speeches and consultations to underscore the need for the international community to explore new initiatives to close this gap in the international rule of law with respect to missiles. Left unaddressed, the missiles issue – still largely the concern of individual member states – will increasingly threaten international peace and security. A moratorium on the global missiles race would be a good place to start.



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