CHAPTER V

PROVISIONS, RATIFICATION, VERIFICATION AND IMPLEMENTATION OF THE INF TREATY
President Reagan and Gorbachev signed the Intermediate Range Nuclear Forces Treaty (INF) at the Washington Summit on 8 December 1987. The arms control treaty was needed much by both Reagan and Gorbachev. Reagan faced policy setbacks and the administration had weakened as a result of the Iran-contra deal.\(^1\) The allies were not supporting Reagan’s policy of providing assistance to rebels in Nicaragua, Cambodia, Angola and Afghanistan. Only the U.K. (apparently) joined in providing assistance to rebel forces in Afghanistan.\(^2\) For Gorbachev, an arms control treaty was needed, “to convince Moscow’s military establishment that the Soviets can safely divert defense roubles to the civilian economy.”\(^3\) Moreover, Gorbachev had initiated rapid economic modernisation of the Soviet Union, and with the soviet commitment to radical reforms like


\(^3\) *Business Week*, 21 December 1987, p.34.
"Glasnost" and "perestroika", there was need for a more amicable international environment.

Here, the provisions of the INF treaty, its exceptions and loopholes, the Senate Foreign Relations Committee hearings and the final Senate ratification of the treaty would be discussed. The verification procedures incorporated to check the compliance of the two parties to the treaty, its effectiveness on the one hand and its limitations on the other would also be analyzed.

**PROVISIONS OF THE TREATY**

The INF treaty eliminates all the nuclear weapons belonging to one defined category. It eliminates all the intermediate range and short range missiles. For the purpose of the treaty, "intermediate-range missile" means a GLBM or GLCM having a range between 1000 km-5500 km. "Shorter-range missile" means a GLBM or GLCM having a range between 500-1000 km. The treaty in the category of intermediate range missiles eliminate Pershing II and GLCM, on the American side and SS-20s, SS-4 and SS-5 on the Soviet side. In the category of shorter range missiles, the U.S.

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Pershing I-A and Soviet SS-12 and SS-23 are to be eliminated.

The treaty distinguishes between "deployed" and "non-deployed" missiles. The missiles in transit are not considered in this treaty as deployed missiles. Article 2 of the treaty defines various technical terms like Intermediate range missiles, launchers and supporting systems. The agreement on the definition of the arms was very essential for further progress in the arms talks. Article 3 lists the intermediate range missiles and short range missiles on the side of the United States and the Soviet Union.

Article 4 defines the two phases involved in the process of elimination of intermediate range missiles and shorter range missiles. The first twenty nine months from 8 December 1987 forms the first phase. In it, the number of warheads on the deployed and non-deployed missiles is to be reduced to two hundred. At the end of three years, that is at the end of the second phase, all the intermediate range missiles are to be eliminated.

Article 5 deals with the elimination of shorter range missiles. In the first ninety days (March 1990) the deployed shorter range missiles and the deployed and non-deployed launchers of shorter missiles are to be removed to
the places where they are to be eliminated. Within twelve months of coming into force of this treaty all the non-deployed missiles, launchers and support facilities are to be removed to places of elimination. The maximum time limit given for the elimination of these shorter range missiles is eighteen months.

Article 6 prohibits the flight test of any intermediate or shorter range missiles and the production of any stage of these missiles. Article 7 defines and differentiates the Ground Launched Cruise Missile (GLCM) from Ground Launched Ballistic Missile (GLBM).

Article 8 deals with the location of intermediate and shorter range Missiles before their elimination. It says, "neither party shall increase the number of, or change the location or boundaries of, deployment areas, missile operating bases or missile supporting facilities, except for elimination facilities, from those set forth in the Memorandum of Understanding."

Article 9 lists the data and information which are to be exchanged between the two parties viz., the United States and the Soviet Union, from time to time in order to update

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5 For the text of the INF Treaty see Department of State Bulletin (Washington, D.C: Department of State), February 1988, pp.22-76.
the information about the INF missiles mentioned in the treaty. The dates are to be exchanged between the two powers through the Nuclear Risk Reduction Centres, which had been established in September 1987. The dates are to be updated at the interval of every six months.

Further prior notification has to be given to the other party, in case of any change in the number of missiles or launchers or supporting systems that are to be eliminated and in case of change in the site of elimination. These notifications are to be given thirty days in advance. Notifications by not less than ten days are to be given about the launching date of the INF missiles for the purpose of elimination; the type of missiles to be eliminated and the launch site, and within forty eight hours of elimination notice has to be given to the other party about any changes in the date, type of missile eliminated or the site of elimination.

Verification is the checking up of each others' compliance or non-compliance of the provisions of the treaty. For the implementation of the treaty, verification forms an important part. Verification of the compliance improves the confidence in each other and works for the betterment of the bilateral relations. It is the most important part of an agreement and to a great extent, it
depends on the provisions of the treaty itself and on the technology available to both the parties for verification.\(^6\)

Narrowly the term "verification" has come to be used for the technological and intelligence process used to determine the compliance. In the pre-world war-II years, in the large number of treaties which were signed like the Washington Naval Treaty and the Anglo-German Naval Agreement there was no provision for verification.\(^7\) This was the major short-coming of those treaties. Moreover, in the present nuclear age, the possibility of covert non-compliance is on the increase. Hence verification of the arms control agreements forms an inalienable part of the implementation of the INF treaty.

The INF treaty provides for both co-operative bilateral measures and unilateral measures for verification, unilateral, bilateral and multilateral efforts to verify the compliance of the other party has been given importance viz,

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open sources, national technical means (NTMS), agreed co-operative measures and collateral constraints, on-site inspections (OSI) of various kinds.

The INF treaty verification regime included the following elements.

- specified number of Americans to be stationed for thirteen years at Votkinsk missile centre,

- Comparable number of Soviet inspectors to be stationed for thirteen years at U.S. missile plant in Magna, Utah;

- On site inspections to be conducted at INF facilities in allied countries;

- Comprehensive data on missiles and launchers being eliminated to be exchanged;

- Actual destruction of prohibited missiles and launchers to occur within three years of treaty going into force;

- During first three years, twenty short notice challenge inspections to be permitted for each side; at sites listed in the treaty,

- During next five years, fifteen short-notice challenge inspections to be permitted, at sites listed in the treaty;

- During subsequent five years, ten short notice inspections to be permitted, at sites listed in the treaty; and

- Soviet short-range missiles and launchers to be removed to elimination facilities within ninety days of treaty entering into force, with full destruction of these systems occurring within 18
months of treaty entering into force (U.S. has no missiles in this category).

The bilateral co-operative measures of verification includes on-site inspections and in-country monitoring. Article 11 of the INF treaty states: ...each party shall have the right to conduct on site inspections" and further that, the parties shall implement on-site inspections in accordance with this article, the protocol on inspection and the protocol on elimination."9

The INF treaty provides for three kinds of inspections.

(a) **Base-line inspections** are to check the exchange of data for which on-site inspections can be conducted;

(b) **Close-out inspections** are to make sure that those activities prohibited by the treaty are not being carried out by either party. This also include on site inspections;

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(c) Elimination inspections are on site inspection of the site where elimination of missiles and their support systems are to be considered. ¹⁰

The INF treaty combines National Technical means of verification also. Article 12 provides for the same. NTM is under the control of the individual nations. They include photo reconnaissance satellites, air-craft based systems (such as radars and optical systems), sea and ground based systems (such as radars and antennae for intercepting and/or collecting signals), and acoustic/seismic detector networks (for detecting nuclear explosions and calculating their yields). ¹¹

Article 12 states, -

"...each party shall use National Technical Means of verification at its disposal in a manner consistent with generally recognized principles of international law" and that

"neither party shall interfere with national means of verification of the other party..." ¹²


¹¹ Congressional Research Service ______, n. 8, p. 4.

¹² Department of State Bulletin, n. 5, pp. 29-30.
But the NTMs has its own limitations. Photo reconnaissance can be done by the aircraft but the range and the coverage is limited. There is always the danger of aircraft being shot down. The surveillance can be done with the help of satellites. The capacity to verify again is limited. For example, cloud can obstruct the activity of the satellite. The satellites can be aided by the electronic intelligence through radar and telemetry. But national technical means do not provide continuous coverage of the other country or even of any site. What they provide are "snap shots" of information that must be amassed and analyzed overtime to reveal useful data. 13

Article 13 establishes the Special Verification Commission which like the Special Consultative Committee of the SALT II treaty, to discuss the questions of compliance, and improve the environment for the effective implementation of the treaty.

Article 14 puts a restriction on either party from signing any treaty or assuming any responsibility which would be contrary to the provisions of this treaty.

Article 15 gives a six month prior notice as a condition before any of these two parties decides to withdraw from the obligations of this treaty.

Article 16 and 17 deals with the ratifications of the treaty and the means to add amendments to the provisions of the treaty through constitutional means.

Exceptions and loopholes (gaps) in the INF treaty

The treaty proposes to eliminate only the land-based intermediate range forces. Sea launched Ballistic Missiles (SLBMs), Air launched Ballistic Missiles (ALBMs) are not eliminated by this treaty. The West Europeans wanted an arms control treaty limiting only the land based missiles. It was a successful implementation of the 1979 dual track decision. Other than the Air Launched Ballistic Missiles (ALBMs) and Sea Launched Ballistic Missiles (SLBMs) which have been excluded, tactical nuclear weapons which have a range below 1000 kms and the British and French nuclear weapons have also not been included.

Moreover Article 6, gives the right to both the sides as follows:

"...each party shall have the right to produce a type of GLBM not limited by this treaty which uses a stage which is outwardly similar to, but not interchangeable with, a
stage of existing type of intermediate-range GLBM having more than one stage, providing that the party shall not produce any other stage which is outwardly similar to, but not interchangeable with, any other stage of an existing type of intermediate-range GLBM."  

Verification of the above poses problems.

The exclusions are further widened by the provisions in Article 7 of the treaty. While Article 6 gives the right to build the first stage of GLBM, the rights to develop GLBMs with a specific purpose to intercept & counter objects were given in the following article. Article 7 says,

"If a GLBM is of a type developed and tested solely to intercept and counter objects not located on the surface of the earth, it shall not be considered to be a missile to which the limitations of this treaty apply."  

These provisions fall in the grey area and poses difficulty for verification and proper distinction. Article 7 further states, that "a ballistic missile or a cruise missile which is not meant to be a Ground based missile but is flight tested from a fixed land base just only for testing and research purposes is not to be considered as GLBM or GLCM

for treaty purpose." Besides the treaty allows both the sides to develop and test booster systems. But it puts a condition that such booster systems are to be used only for research and development purposes and the aggregate number of launchers for such booster systems is not to exceed 35 for each party at any one time. 15

Article 14 puts a condition, that neither of the party shall assume any international obligations or undertakings which would conflict with these provisions. But it does not prevent the US from supplying its allies with some components for INF range weapons.

The political asymmetry in the withdrawal of the INF missiles by both the parties to the treaty was pointed out by Zbigniew Brezinski. He wrote:

...the Soviet Union does not require the grant of special permission to redeploy its SS-20s from Soviet Asia to the Western military districts of the USSR, but in a crisis the United States would in fact require the agreement of the relevant European countries to redeploy any intermediate-range missiles from the United States to Europe. 16

Strategically, the shorter range missiles when they are forward deployed can reach targets in Western Europe which are at present reached by SS-20s.

Ratification Debate in the Senate

Under the provision of the Constitution, the American President is required to submit treaties for the approval of the Senate. With Senate's approval by two-thirds majority, the treaty acquires the force of law.

Committee hearings

The committee jurisdiction for review of the treaty lay with the Senate Foreign Relations Committee. Firstly, the Senate Intelligence Committee, the Senate Armed Services Committee and the Foreign Relations Committee prepared separate reports based on the hearings that they held, which were later reviewed by the Foreign Relations panel of the Senate Foreign Relations Committee. 17

The agenda for discussion included a wide range of domestic, international and arms control considerations. The treaty enjoyed the support of a majority of Democrats and Republicans. The majority whip Alan Cranston (Dem., Calif.), thwarted the attempts of the conservative senators lead by Jesse Helms (Rep., NC), to oppose the treaty. 18

Moreover, it was difficult for the conservatives to prove Reagan's lack of concern for the security of the country.

The Senate Armed Services Committee began its hearings on 25 January 1988. The administration's officials were lead by Secretary of State, George P. Shultz. Among other issues, the role of Pershing II and GLCM in U.S. military strategy, the accuracy of the data provided by the Soviet Union, the mode of verification of the destruction of missiles and the control of the "futuristic weapon systems", by the INF treaty were discussed.

In the discussions on the issue of how far the Pershing II and GLCM removal from Europe would affect the flexible response strategy of the NATO, retired Army Gen. Bernard W. Rogers, former Commander of U.S. forces in Europe and NATO's Military Commander-in-Chief (Rogers was not re-appointed in 1987 as NATO Commander as he was against the INF deal) laid down his views before the armed Services Committee that the Pershing II and GLCM were unique weapons which posed a direct threat to the Soviet Union from Western Europe. To him, both these missiles were essential for both escalating and deterring a nuclear war. 19

Gordon J. Humphrey (Rep., N.H), citing Roger's arguments to support his own, contended that in spite of the presence of strategic nuclear weapons in the United States, which can directly attack the Soviet Union, the fear of counter Soviet attack would curtail the American President's nuclear option. Hence Pershing II and GLCM became essential in this context. 20

Secondly, doubts were raised about the reliability of the Soviet database, Jesse Helms (Rep., N.C.) and Jack F. Kemp (Rep., N.Y), felt that the database provided by the Soviet Union, on the number of Soviet missiles was not consistent and comprehensive. Dan Qualye (Rep., Ind), argued that the maximum range of a missile when it was flight tested need not be its actual maximum range. 21

Thirdly, the question of verifiability of the INF treaty was discussed. While Jesse Helms (Rep., NC), wanted that not only the missiles but also the warheads (fissionable material) be destroyed under the INF treaty, it was opposed by Alan Cranston, (Dem., Cal), Joseph R. Biden Jr., (Dem., Del) and Richard G. Lugar (Rep., Ind), who contended that the question of verification of the destruction of fissionable material required sharing of

20 ibid.,

21 ibid., 23 January 1988, p.149.
certain technologies, which were highly secretive and that both the countries were not interested in sharing them. \(^{22}\)

Interesting discussions were held on the "futuristics", - which are those weapon systems which would be developed in future by the two signatories of the treaty. They referred to those naval weapons designed to destroy targets by some means other than an explosion. These missiles were designed to destroy the targets with lasers or other kinds of electrical beams, or simply by colliding with them. These "futuristic" weapons raised the question about the scope of the treaty.

While the Chief INF negotiator Maynard Glitman in his testimony before the Senate Armed Services Committee took the stand that the negotiators did not try to define terms like "weapon" and "weapons delivery" as these terms were used in the INF treaty in accordance with the common sense meanings, and that the INF treaty's scope was to include all the missiles within a particular range, whether they were designed to destroy targets by nuclear or conventional explosions or by other novel means. This was criticized by the conservative senators like Jesse Helms (Rep., N.C.), who pressed Glitman to give the "common sense" definition of the

\(^{22}\) ibid., 30 January 1988, p.196.
weapon system Dan Quayle (Rep., Ind.), came out with the letters of former secretary of Defense Casper W. Weinberger and former Reagan's arms control chief Kenneth Adelman, which stated that there had been no agreement in general about the scope of the treaty. 23

The continued questioning about the scope of the treaty in the Armed Services Committee hearings resulted in the meeting of the United States and Soviet Officials in Geneva on 12 May '88, and an addendum was added, which specified that futuristic weapons were covered by the treaty. 24

The Foreign Relations Committee of the Senate also discussed the pros and cons of the INF treaty and various amendments were proposed to it by the Senators. The discussions were mainly on whether or not Pershing II and GLCM had a role to play in NATO strategy and how to make the INF treaty more and more fool proof.

Evan Galbraith, Reagan's former Ambassador to France, spoke strongly against the treaty. He was of the opinion that Pershing II still had an important role to play in the U.S. military posture vis-a-vis the Soviet Union. He felt that the ability of the West Germans to strike back at the

24 ibid., 28 May 1988, p.1435.
Soviet Union would be lost if the Pershing II missiles would be scrapped. He expressed the opinion that the INF treaty set the NATO on a slippery slope which would ultimately denuclearize and make West Germany a neutral power. 25

Richard Burt, ambassador to West Germany in his testimony rejected the idea that NATO was against the treaty. In order to quell the doubts, a panel of members of the Parliaments of Britain, West Germany, France and Holland were further called to testify before the Senate Foreign Relations Sub-Committee. They testified on 5 February 1988, that "Article 14 does not rule out reasonable modernisation of our nuclear arsenals." 26

The opinion was divided again on the issue of modernisation of short-range nuclear weapons. While the Armed Services Chief of Staff in their testimony called for the development of short-range nuclear weapons, such as ground Launched missile, to replace 70 mile range Lance missiles, to develop an air-to-ground missile with a range of about 250 miles and to produce nuclear artillery shells, it was opposed by the Foreign Relations Committee Chairman, Claiborne Pell (Dem., R.I), who stated, that, "the symbolism and ultimate value of the treaty would be undermined if it

26 ibid.,
turned out to be thinly veiled excuse to inject more modern nuclear weapons into NATO. "27

Secondly, the impact of Article 14 on the future U.S.-NATO military relation were raised, in Foreign Relations Committee hearings. Hawkish Senators warned that it would hamper the existing co-operative defense efforts of the U.S. and NATO allies. A delegation was led by Senior Senators, including majority leader Robert C. Byrd (Dem., Va.) and Armed Services Committee Chairman, Sam Nunn (Dem., Ga.), on a tour to Europe on 4 February 1988, to feel the pulse of the Europeans and to assess the allies' support for the treaty. 28

The government defended its position before the Committee. While Defense Secretary, Frank C. Carlucci, called these doubts as just a propaganda effort by the Soviet Union, and emphasized in his testimony before the committee that "Article 14 will not affect existing patterns of defense collaboration or co-operation with our allies. Nor will this provision preclude co-operation with our allies in modernisation," 29 the Chairman of the Joint Chiefs

27 ibid., 6 February 1988, p.264.
28 ibid., p.261. For the report of the AEI, see the Appendix.
29 ibid.,
of Staff, William J. Crowe, Jr., in his testimony before the Committee, asserted that Article 14 was "just an obligation to carry out the provisions of the treaty." 30

Similar doubts about the willingness of the U.S. President to use the U.S. strategic ICBMs for the defence of Western Europe was raised by the former Defence Secretary James R. Schlesinger in his testimony before the Armed Services Committee.

While the former NATO commander and defense secretary emphasized the importance of Pershing II and GLCM to West European security, the present incumbents of these offices on behalf of the government appeared before the committee to defend the removal of the two missiles by the INF treaty. 31

Galvin, who succeeded Rogers, contended that no particular weapon should be tied with a particular strategy. Defence Chief Carlucci, and Joint Chief Chairman, Crowe, argued that the INF treaty had made Western Europe more secure Carlucci stated, "After the INF treaty is implemented, NATO will still retain robust nuclear and conventional forces assigned to Europe, including ground

30 ibid.,
31 ibid.,
based nuclear systems, as well as those, carried by aircraft and submarines. 32

In corollary to this view, Karsten Voigt, a member of the West German parliament (Bundestag), declared before the committee that, "none of the parties ... apparently supports deployment of new short-range missiles." 33 Further he stated that Bundestag wanted a review of the Montebello decision. At Montebello NATO meeting, the allies had agreed in 1983 to modernize its shorter range nuclear weapons.

After general discussions, certain amendments to the treaty were considered by the Senate Foreign Relations Committee. Firstly, there were amendments which could be adopted by the U.S. without even formally communicating them to the Soviet government; secondly, there were those amendments which had to be formally announced to the Soviets but which did not require their concurrence and lastly there were those stringent amendments which had not only to be communicated to the Soviets but had to be approved by them also. 34

33 ibid., 6 February 1988, p.264.
Amendments to the Treaty

Conservatives such as Jesse Helms (Rep., NC) and Malcolm Wallop, (Rep., wyo), Richard C. Shelby, (Dem., Ala), were committed to far reaching amendments. The conservatives wanted to exert grass root pressure for their opposition to the treaty. But the most forbidding force which curtailed the actions against the approval of INF treaty was the fear of alliance reaction.

Several amendments were considered by the Senate Foreign Relations Committee which pertained to the provisions of the treaty, the re-interpretation of the treaty, verifications of the compliance and finally about the weapon systems of the future, - "futuristics".

Wallop proposed an amendment to clarify the language of certain provisions of the treaty in the Senate Foreign Relation Committee. He was concerned about the Article 6 of the INF treaty which intended to allow the Soviet building of SS-25 which consists of three stages and the largest of which stage resembles outwardly SS-20's largest stage of building. But Wallop's amendment was rejected with 68-26 votes on the ground that both the U.S. and the U.S.S.R had a common understanding on the particular provision. 35

35 ibid., 28 May 1988, p.1435.
The Foreign Relations Committee rejected Helm's amendment which called for the deployment of conventionally armed ground-launched cruise missiles of intermediate range by 3-15 votes. The Committee also rejected his amendment which required barring of the flight tests of strategic range missiles at intermediate ranges by 2-14 votes.

The Committee rejected the amendments proposed by Larry Pressler (Rep., SD). The first amendment called for delaying the coming into force of the INF treaty till the time, the conventional forces of NATO and Warsaw pact would be equal. It was rejected by 2-15 votes.

Pressler again proposed a reservation which called on the President to give a certificate that the imbalance which would remain in the conventional forces would not threaten NATO in Europe. It was again rejected by 2-15 votes. 36

Pressler's another amendment which asked for a certificate from the President to the Congress that the Soviet Union is in full compliance with the 1974 "Helsinki accords", was yet again rejected by 2-15 votes. 37

On the demand of the consecutives, who wanted to substantiate their criticism of the treaty with highly

37 ibid., 2 April 1988, p.870.
sensitive data, secret hearings were held in a small chamber in the Capitol Hill where it met for nearly two decades.

The major concern of the Senators was about the re-interpretation of the INF treaty. The concern rose because of the Reagan administration's, new interpretation of the 1972 ABM treaty in 1985. State Department's legal adviser, Abraham D. Sofaer, gave a reinterpretation of the ABM treaty by which SDI programme testing was not banned by the treaty. It started the most controversial SDI programme.

The Democrats were committed to adding an amendment to the treaty regarding its re-interpretation. Joseph R. Biden, Jr. (Dem., Del.), majority leader Robert C. Byrd (Dem., W.Va.), Armed Services Committee Chairman Sam Nunn (Dem., Ga.), and Intelligence Committee Chairman David L. Boren (Dem, Okla), pressed their demand. 38

On 29 March 1988, the Senate Foreign Relations Committee added a resolution with bi-partisan approval, after consenting to the ratification of the INF treaty. The reservation stated:

"...subject to the following principles, which derive, as a necessary implication, from the provisions of the Constitution (Article II, section 2, Clause 32) for the making of treaties:

38 ibid.,
(a) The United States shall interpret this Treaty in accordance with the understanding of the Treaty shared by the Executive and the Senate at the time of Senate consent to ratification;

(b) Such common understanding is:

(i) based on the text of the Treaty;

(ii) reflected in the authoritative representations provided by the Executive branch to the Senate and its Committees in seeking Senate Consent to ratification, in so far as such representations are directed to the meaning and legal effect of the text of the Treaty;

(c) The United States shall not agree to or adopt an interpretation different from that common understanding except pursuant to the Senate advice and consent to a subsequent treaty or protocol, or the enactment of a statute. 39

All the three Senate Committees approved the INF treaty finally. The Senate Armed Services Committee urged the approval of the INF treaty in its separate report. Sam Nunn, the chairman of the committee stated,

... on balance, the positive features of the treaty outweigh its weaknesses. Moreover, I am convinced that were the Senate to reject the treaty, the political repercussions in Europe and elsewhere would be very significant.

The Armed Services Committee in its report stated, that

- GLCM of INF range with non-nuclear warheads should not be allowed to be deployed.

39 ibid.,
to allow the Russians to build SS-25 intercontinental missiles, even though major components of it are similar to SS-20 missile banned by the INF treaty and that the Article 14 of the treaty, would not bar the United States from supplying its allies with some components of INF range weapons.

The Intelligence Committee report presented by David L. Boren (Dem., Okla.) in its conclusions stated that, it was not able to resolve the differences among the U.S. agencies about the number of SS-20 missiles.

Finally the Senate Foreign Relations Committee, approved the treaty to the Senate with a 17-2 vote on 30 March 1988.

The Republicans were enjoying a majority in the Senate from 1981-86. But following the mid-term elections in 1986, the republicans lost their majority in the Senate.

Besides, "...the disclosure of the Reagan administration's secret arms sales to Iran and diversion of funds to the Nicaraguan Contras, effectively brought to an end six years of senatorial deference to Presidential foreign policy-making." 41

40 ibid., 2 April, 1988, p.871.

On the floor of the Senate, the debate centered more around the future of NATO nuclear doctrine and on the questions of American commitment to West European security than on the actual terms of the INF treaty as such as it was debated and analyzed by the congressional Committees. 42

Senator William Proxmire (Rep., Wis.) stated that the real contribution of INF was its advancement of compliance for the arms control agreement. 43 On the floor of the Senate the INF treaty had cut across the party lines. There was in general bipartisan support to the treaty. Firstly, the INF treaty defenders took the plea that it did not affect the NATO nuclear strategy. Senator Robert Dole (Rep., Kansas) minority leader in the Senate, expressed support for the treaty on this argument. On the NATO nuclear strategy, it was Dole's view that, the short-range nuclear weapons including dual-purpose air-craft and artillery should remain in Europe until the conventional arms imbalance was redressed; and that "a conventional arms reduction agreement-covering the area from the Atlantic to the Urals and based on the INF principle of asymmetrical reductions to


equal and stabilizing levels, - is the highest arms control priority for the NATO alliance." 44

There was a discussion in the Congress on an unclassified report of the Defense Department, on "Support of NATO strategy in the 1990s submitted to the U.S. Congress in compliance with Public Law 100-180. Senator Robert C. Byrd (Dem., W.Va.) stated that according to this report, U.S. is confident of maintaining Alliance's flexible response strategy. 45 On the other hand the question of imbalance in conventional forces in Europe created doubts about the positive impact of INF treaty on NATO. In this regard, Senator Timothy E. Wirth (Dem., Colo.) raised the question of NATO's conventional defense and the failure of Mutual Balanced Force Reduction (NBFR) talks at Vienna for the past fifteen years and opined that Soviet Union's greater flexibility toward military relations with the West in general and toward arms control in particular was due to the economic modernisation programme of Gorbachev. 46

Further, Wirth cited an article "Alliance Security: NATO and the No First-use question: A Historical

44 ibid., p. S16.
46 ibid., pp.469-70.
perspective" by David N. Schwartz to support his argument that the Senate should keep in mind the fact that the NATO's reliance on nuclear weapons for the purpose of deterrence or to compensate for conventional weaknesses had deep historical and political roots. While efforts to reduce NATO's nuclear dependence had succeeded to a certain extent, the efforts to bolster conventional forces had failed.47 Senator Larry Pressler (Rep., S.D), drew attention to the reports about FBI's crack down of a team of 5 Czechoslovaksians, 3 technicians and 2 communist officials, who were found moving under suspicious circumstances around sensitive American military installations in a truck with an ultralight collapsible airplane, between July and December 1987. In the light of such an espionage, the Senator questioned the impact of INF verification procedures on the U.S. national security.48

But Patrick J. Leahy (Dem., Vt.) referring to his tour of NATO capitals stated in the Senate that the impression he had gathered was that Senate should approve INF treaty promptly without any killer amendments because politically there was no chance that INF deployments could be resumed if the treaty was rejected. This would mean that

47 ibid., pp.640-47.
48 ibid., p.756.
while NATO would loose Pershing II and GLCM, Soviets would retain SS-20s. Moreover since there was no alliance consensus on conventional force, the Senate should not call for increased NATO defense spending. 49

William Proxmire (Rep., Wis.) pointed that INF treaty was in NATO's favour because the Soviets would destroy three times as many missiles as NATO; the tactical weapons were to be left intact and behind the tactical weapons, the TNF of U.K and France would leave Western Europe stronger. He, therefore, pleaded that the Senate should ratify the INF treaty. 50 He added that the real contribution of INF was its advancement of compliance of the arms control agreements.

John Mc Cain (Rep., Ariz.) in general supported the treaty but spoke on its short-coming too. He stated that the INF treaty increased the risk of conventional confrontation and did not reduce the overall threat posed by nuclear weapons. Moreover it did not constrain future military build up. According to him whereas the INF treaty had succeeded in creating a favourable political climate, it had failed to reduce the risk of war in military terms. Mc

49 ibid., p.1368.
50 ibid., p.3058.
Cain also felt that the INF treaty could be easily violated. But he supported the treaty and asked for its ratification because he believed that unless that was done there was a risk of division among the allies and isolation of the U.S. among its NATO allies. 51

Alan Cranston (Dem., Cal.) spoke about the grassroots support for INF treaty by eleven major organizations which included a broad segment of major religious, labour, citizen, environmental and arms control organizations, a widespread public backing which even SALT II lacked. 52

There was considerable support for the treaty and the Senators wanted to ratify it. But the Senators also gave expression to their misgivings about the verifiability of the INF treaty. Senator Richard Shelby, (Dem., Alabama) was skeptical about the INF treaty because of the past Soviet record of non-compliance to arms control treaties. He stated, "these committee members must grapple with some tough questions regarding the effect of this treaty on NATO's conventional force structure, on NATO's nuclear capabilities and on verification." He further added "...post-INF nuclear options available for NATO must be explored. One alternative would be retargeting of other systems, such as

51 ibid., pp. 3322-26.
52 ibid., S271.
SLCMs ... Another option of NATO is to increase their dependence on land-based air-craft such as B-52s and F-111s equipped with air-to-surface missiles. 53

Senators like Paul Simon (Rep., Illionis) did not agree with Shelby. Simon argued that, "...verifiability is nearly a question of shades of grey...perfect intelligence is no more available for verification purposes that it would be in world without arms control treaties. Judgements of verifiability are relative rather than absolute." 54

After discussions, Helms' defacto filibuster to delay the procedures in the Senate was brought to an end by moving a cloture motion. Finally on 27 May '89, the Senate approved the treaty with 93-5 votes. The five Senators who voted against the INF treaty were Jessy Helms (Rep., N.C.), Ernest F. Hollings (Dem., S.C.), Grodon J. Humphrey, (Rep., N.H.), Steve Symms, (Rep.I) and, Malcolm Wallop, (Rep., WYO).


The INF treaty was passed along with an amendment on the interpretation of the treaty. The amendment was passed with 72-27 votes. Commenting on the amendment, majority leader, Robert C. Byrd (Dem., W.Va.) stated, "Senate action on this treaty should be a clear signal to the administration, to any future administration and to the Soviet Union that this Senate will not roll over and play dead on any treaty for any President."55

The House Resolution 422 was jointly introduced by Wm. S. Broomsfield (Rep., Mich.), and Dante B. Fascell (Dem., Flo.). It expressed support for the INF treaty and in addition contained policy statements. It called for the continued US nuclear presence in Europe with leadership role to play in NATO. It called for framing a comprehensive strategy for NATO in post-INF world and suggested a joint Congress executive action on the INF treaty in case of a Soviet violation of the same.

The House Foreign Affairs Committee from 16 December 1987 itself, conducted hearings on the full range of issues connected with the INF treaty. The Committee heard testimony from both private witnesses and from the representatives of the administration. It held closed

briefings with administration officials both prior to and after signing of the INF treaty. Later, on 30 March 1988, the House Foreign Affairs Committee approved the HR 422 by a vote of 39 to 2, which was later put to vote on the floor of the House on 19 April 1988. The House of Representatives, before the Senate ratification of the treaty, had approved it with an overwhelming vote of 393-7. 55(a)

The INF treaty ratification by the Senate was historic in the sense that it considered the treaty. It was the first time that arrangements were made for the Senate to have access to the classified records of U.S. negotiations with the Soviet Union and referral to those records was an integral part of the process of the Senate's advice and consent procedure.

In this respect, as early as 18 December 1987, by adopting a resolution (S.Res. 348) offered by Byrd and Dole, the Senate had created the Arms Control Treaty Review Support office to provide the Senate with the capability to store and review the records of the INF negotiations.

To assist the Senate in its review, the support office staff created a research data base, containing data

55(a) ibid., pp.7320-30.
on the record of negotiations as well as full text transcripts of the hearings held by the Senate Committees on Armed Services and Foreign Relations. This data base made it possible to locate within minutes any document in the record of negotiations and any reference to it in the testimony. It proved to be invaluable in the course of committee markups and floor debate on the treaty. As further proof of the quality of this data base, State Department Officials requested and were granted access to it during the debate on ratification.

In addition to the data base, the staff of the treaty support office also prepared briefing books on issues, such as future weapon technology, which required in-depth study and clarification.

The access agreement specified that the negotiating record was to be returned to the State Department following treaty ratification. However, because of the lingering concern it was deemed prudent to assure continued Senate access to the INF negotiating record.

On request from the Senate through a letter dated 14 July 1988, the State department vide its letter dated 9 August '88 provided that, "if the need arises for future Senate access to those materials, Senators and a limited number of clerical staff at the request of the majority and
minority leaders, will have access to those materials on appropriate occasions in the future. The materials will be retained by the office of the legal adviser at the Department of State.\textsuperscript{56}

**MOSCOW SUMMIT**

President Reagan and Soviet Premier Gorbachev held the summit at Moscow between 29 May - 2 June 1988. Reagan who had earlier called the Soviet Union an "evil empire" was in Moscow to bring into force the INF treaty. Both the Senate and the Supremente Soviet Presidium had approved the treaty before the instruments of ratification were formally exchanged between the two leaders at Moscow on 1 June 1988.\textsuperscript{57}

**Compliance**

After the INF treaty was ratified by the Senate, the question of compliance and the means to verify the compliance or otherwise by the signatories to the treaty gained importance. There were chances of mutual misunderstanding about the compliance to the terms of the


\textsuperscript{57} ibid.,
treaty. Interpreting the terms of the treaty in favour of oneself was a major problem in compliance. Moreover, the perception of achieving one's security through arms control posed certain problems. When the security of the nation was at stake, compliance to certain provisions or to the treaty as a whole was not adhered to by the signatories. The provisions of the treaty by itself and the domestic or international environments also influenced the question of compliance.

The major block on the road to compliance of a treaty between the United States and the Soviet Union viz., the non-ratification of the treaty by the U.S. Senate had been crossed by the INF treaty.

Reagan had been complaining about the Soviet non-compliance of the arms control agreements signed earlier, to which the Soviets reciprocated with similar allegation against the US. 58

58 For the reports of the U.S. on Soviet non-compliance refer to President's Report to the Congress on Soviet Non-compliance with Arms Control Agreements Special Report No.122 (Bureau of Public Affairs, State Department, 1 February 1985); The President's Unclassified Report on Soviet Non-compliance with Arms Control Agreements (White House: Office of the Press Secretary, 28 December 1985); Soviet Non-compliance (Arms Control and Disarmament Agency, 1 February 1986).
The SALT II agreement created the SCC (Standing Consultative Commission) to hear the complaints about compliance and non-compliance and to settle the dispute through discussion. Similarly, the INF treaty in Article 14 provided for the formation of a special verification commission. Article 14 states:

The parties agree that, if either party so requests, they shall meet within the framework of the Special Verification Commission to:

(a) resolve questions relating to compliances with the obligations assumed and

(b) agree upon such measures as may be necessary to improve the viability and effectiveness of this treaty.59

Nuclear Risk Reduction Centres provide for continuous communication between the two parties. The data about the missiles which are to be updated from time to time; with regard to the protocol on elimination procedures, any change in the site for the elimination of the missiles or any change in the number of missiles or their associated structures are to be intimated through these centres. Besides the parties have to inform the other about its intention to convert any base of the missiles which are to be eliminated under the treaty to a base of missiles which

are not eliminated under the treaty. Notifications regarding verification procedures and other co-operative measures are to be communicated through these centres. For the successful compliance of the treaty, four qualities in general have been listed as the requirement of both sides to any agreement:

- a belief that the other side has an objective interest in the success and preservation of agreements;
- a willingness to be reassured by evidence of compliance;
- a confidence in one's own intelligence capabilities and a recognition that in today's military stand off the more militarily significant a violation is, the less likely it is that it can be kept hidden;
- a willingness to treat ambiguities, technical violations and misunderstandings in a calm, businesslike and confidential manner on the assumption that the other side also had an interest in clarifying and correcting any incidents of non-compliance.60

With regard to on-site inspections, President Reagan in a message transmitted to the Senate informed that an agreement (basing country agreement) between the U.S. and Belgium, W. Germany, Italy, Holland, U.K. and North Ireland has been signed at Brussels on 11 December 1987 regarding inspections relating to the INF treaty. The Basing Country

Agreement confirmed that the inspections called for in the treaty will be permitted by the five allied Basing countries. The exchanged notes regarding inspections acknowledged that these countries agreed to the United States conducting inspections under the treaty on their territory. Identical notes were also exchanged between the Soviet Union and the five allied Basing countries. 61

Even with all these provisions, it is not possible to have a perfect, absolute verification of compliance. As Reagan stated - "We know also that absolute verification is impossible. But verification to the extent possible is going to be a very necessary feature in our negotiations." 62

Criticism of INF Treaty

While in general, an arms control treaty is always welcomed, certain cautions and questions have been raised about the INF treaty.

Firstly, the United States and the Soviet Union are no longer controlled by SALT. They can build any number of


62 Richard A. Scribner, et al., The Verification Challenge: Problems and Promise of Strategic Nuclear Arms Control Verification (Boston) p.181.
Inter-continental Ballistic Missiles (ICBMs). There is no control on their warheads.

Secondly, the Pershing-II, GLCM and the SS-20s were already ten years old. With the advancing technology, the need to replace them would have arisen sooner or later.

Thirdly, the Sea Launched Cruise Missiles (SLCMs) and Air Launched Cruise Missiles (ALCMs) have not been banned under the treaty.

Fourthly, the ICBMs of the Soviet Union can destroy the targets in Western Europe. Hence, the need for long range theatre nuclear forces (LRTNF) was more for Western Europe than for the Soviets.

Fifthly, the INF treaty has left untouched the ICBMs artillery in NATO, US aircraft capable of carrying nuclear weapons and the British and French nuclear weapons.

Sixthly, historically the Soviets had always developed a three-stage inter-continental ballistic missile along with a two-stage intermediate range missile. In 1960s, SS-133 (ILBM) was accompanied by SS-14 (IRBM) and in 1970s, SS-16 (ILBM) was combined with SS-20 (IRBM) production. Hence there is a possibility of a new ICBM being developed.
Some analysts suggested that the INF treaty of 1987 revived the Reagan administration and promoted detente in 1988 could be the cause of a super power confrontation of 1989. Such criticism turned out to be totally unfounded and baseless.

The criticism that INF treaty made the possibility of a nuclear war limited to Europe remote does not hold the ground since the Soviet Union's nuclear strategy had always made it clear that it did not believe in either flexible response or the concept of a limited nuclear war.

Some have suggested that the INF treaty could possibly be used as a model or as a trial for further arms reductions. Theo Sommer, editor-in-chief of the Hamburg based newspaper Die Zeit wrote:

The idea of a nuclear-free world by the year 2000 is too good to be or seem feasible. It is also difficult to imagine the two super powers abandoning their nukes, thus stepping down and leaving world leadership to the Chinese, the French, the British or some ambitious member of the nuclear club from the third world.

The INF treaty is a precedent whereby it is possible to test novel methods of control and verification, a kind of litmus paper.64

Similarly, Viktor Karpov, Deputy Foreign Minister of the USSR, stated:

Besides, in exercising the INF treaty we are in effect trying out the methods which may come in useful for the strategic offensive weapons treaty. They included the permanent monitoring of the non-manufacture of SS-20 missiles in Votkinsk, USSR and U.S. Pershings in Magna, U.S.”65

The fear on both sides has been now replaced by good faith. The concern of both Europe has been shifted to other problems like, - turbulent socio-political shifts in the East and the no less important integration processes in the West. The problem of intermediate range missiles turned out to be nothing but a political symbol, - a symbol both sides took pains to inflate out of all proportion and which had nothing to do with real life.66

But the INF treaty has other strategic calculations on both the sides. Americans view the INF treaty as a way to make the Soviets shed disproportionately a large number of INF warheads. The INF treaty to the soviet Union also gives a strategic advantage. It eliminates those missiles which can threaten its security from Western Europe. Moreover, the Soviets have now the option of fighting either

an all-out nuclear war or a conventional war.  

Completion of the first stage of dismantling

Under the supervision of General Vladimir Medvedev, Head of the Soviet National Centre for the Reduction of the Nuclear Threat and Lt. Col. Thomas Brock, leader of the team of U.S. observers, the first stage of the treaty was completed to the satisfaction of each other.

The completion of the first stage was done at Stankovo in Minsk, Bylorussia (Bylorussia was the place where the people had suffered earlier from Chernobyl disaster), the site where earlier SS-20s were stationed.

INF Treaty and NATO

The INF treaty as a whole has helped in the creation of a congenial political atmosphere in the world. But it has raised at the same time, several questions with regard to the security interests of Western Europe, about the military commitment of US to the alliance security, about the possible changes in the future military strategy of the NATO and finally about the shift from development of offensive to defensive weapon systems. The West European

67 Michael R. Gordon _______, n.42, p.159.
reactions and responses to the INF treaty is quite significant in this regard.

Helmut Kohl of the Christian Democratic party and Chancellor of West Germany told the Parliament on 10 December 1987 that, "the agreement was historic because it was the first true disarmament treaty." But he added that "the strategy of military deterrence must remain believable and applicable." In contrast, the then West German Defense Minister Manfred Worner opposed the INF treaty, since he doubted US commitment to European defense.

Warner was not the only European leader who had misgivings about the treaty. France expressed its distress over the fact that the INF treaty would create general atmosphere for disarmament in Europe which would hamper its own Modernization plans. France is not a part of the NATO defense. French premier Jacques Chirac on 9 December 1987 stated that the INF treaty by itself was not of such a nature to reinforce European security", unless it was followed by agreements on conventional forces and chemical weapons.

Dutch Premier Rund Lubbar on 8 December 1987 also stated that Netherlands would retain the four types of nuclear arms currently deployed by his nation despite the fact that it was now doubtful that intermediate range cruise
missiles, scheduled to be deployed in the Netherlands in 1988 would reach Dutch soil. 69

As per the INF treaty, after the U.S. withdrawal of all the Pershing II and GLCMs, it would still roughly have around

- 4000 nuclear war heads committed to NATO for their use in or near central Europe. They would be in the form of 1200 "dual-capable" aircraft that can carry either nuclear or conventional weapons;

- 80 "short-range" (i.e. less than 300 miles) mobile lance launchers (range: 70 miles) for nuclear missiles and

- 3000 "dual-capable" artillery launchers - 203 MM howitzers and 5-inch howitzers - which can fire to a maximum range of 15 miles.

The "dual-capable" aircraft would have around 1700 heavier-yield nuclear war heads and the lance launchers would have a few hundred warheads, while the howitzers would have around 1500 lighter-yield nuclear war heads, mostly artillery shells. 70

But there were other reasons for the West European concern. The U.S. has its own national interests. With the increasing defense budget the U.S. federal deficit is also


growing alarmingly. The U.S. has been pressing its alliance partners, especially Germany and Japan to share the cost of defense of Western Europe. The West European partners feel that the pressure would increase further. Reagan’s talk of shifting from "Mutual assured Destruction" (MAD) to that of "Mutual Assured Survival" has wider implications for NATO’s defense and nuclear strategy.71

In this regard, the secretary of Defense Carlucci’s report to the Congress on "support of NATO strategy in the 1990s" is worth noting. It stressed the point that:

- NATO could maintain its strategy of flexible response without Pershing II and GLCM;

- Pentagon is to emphasize on deep-strike, highly accurate conventional weaponry and on competitive strategies in order to exploit the weakness of Warsaw pact countries.;

- To achieve "a follow-on-forces-Attack capability", for attacking the Warsaw conventional forces, reductions were not to be stressed, "reductions can help improve stability but cannot in themselves achieve stability."72


In this connection it may be noted that the high Level Group (HLG), a special task force of the NATO, set up by the Nuclear Planning Group (NPG) in 1977 conducted a study which led to the Montebello decision of 1983. It asserted that NATO's goal of "assuring that nuclear weapons in NATO's armory are held to the minimum necessary for deterrence, taking account of developments in conventional as well as nuclear forces." 73

Carlucci's report of 1988, recommended the implementation of the main elements of the NATO theatre nuclear force modernization programme as initiated by Montebello decision. The report wanted:

- development of a follow-up to the LANCE (FOTL) missile with increased range, improved accuracy and operating characteristics;
- development of a stand off tactical air-to-surface missile (TASM);
- modernization of NATO's artillery-fired atomic projectiles (AFAPs) and;
- continued modernisation of NATO's dual-capable aircraft and associated nuclear bombs. 74

The impact of the INF treaty on the Germans was that the remaining European-based nuclear systems—largely weapons

74 ibid., p. 5.
to be delivered by nuclear artillery, short range missiles, and tactical aircraft were most likely to be used in Germany. This concern was expressed not only by the opposition parties, Social Democrats and the Green party, but also by conservative politicians. Foreign Minister Hans Dietrich Genscher, openly supported the negotiations that could lead to eventual controls on or elimination of short-range nuclear missiles.

British and French officials and observers have expressed a different concern. Their worry was that the anti-nuclear sentiments that had resisted LRTNF deployments might lead to a "third-zero" eliminating short-range nuclear missiles and this would put NATO on a 'slippery slope' toward denuclearisation. The particular French concern was that denuclearisation of Germany could lead it toward political neutrality while creating international pressure on France to reduce or eliminate its independent nuclear forces.75

75 ibid., p.6.
The West European opinion is thus divided. There are:

- The "Atlanticists" - especially, the conservative, steel helmet wing of West Germany's CDU-CSU (Christian Democratic Union - Christian Socialist Union) who are hawkish, - view INF treaty as an erosion of the American commitment to the West European security and also as nullification of flexible response;

- "the militarily inclined Europeanists" - who fearing for European security suggest a greater burden-sharing by the European members of NATO; and

- there are the Pacifists who advocate detente in a wider perspective.76

Western Europe can either go in for modernisation of shorter range nuclear weapons as suggested by the United States immediately after the INF treaty77 or seek detente and influence the United States to go in for meaningful arms reductions in other areas also.

76 Lucas, n.69, p.185.