

**The Power of the NPT: International Norms and Nuclear Disarmament of  
Belarus, Kazakhstan and Ukraine, 1990-1994**

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## **Abstract**

There is a lingering disagreement among scholars on how the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) affects nonproliferation and disarmament outcomes. Drawing on constructivist scholarship this dissertation locates the nonproliferation discourses at the cusp of domestic and international political spheres, and examines the role of the NPT in the cases of nuclear disarmament of Belarus, Kazakhstan, and Ukraine. In the wake of the Soviet collapse, these newly independent states inherited parts of world's largest nuclear arsenal and were met with the expectation of the international community to disarm and join the NPT as non-nuclear-weapons states. The three states proceeded along very different paths toward fulfilling these expectations. Engaging the previously untapped archival sources, this dissertation reconstructs the nuclear discourses in Belarus, Kazakhstan, and Ukraine and argues that, while much of decision-making about the fate of their nuclear inheritance was embedded in the negotiation of their new identity as a sovereign state vis-à-vis Russia and the West, the NPT affected their denuclearization through a range of normative mechanisms by guarding a separate normative space for nuclear possession, allocating the burden of proof, providing the normative grammar of denuclearization, and legitimizing the pressure exerted by their interlocutors to conform with the nonproliferation regime.

*For my mother, Iryna Budzberyn*

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## List of Abbreviations

ABM	Anti-Ballistic Missile Treaty
ACDA	Arms Control and Disarmament Agency
ALCM	Air-launched Cruise Missile
BPF	Belarusian Popular Front
BSSR	Byelorussian Soviet Socialist Republic
CANWFZ	Central Asian Nuclear Weapons Free Zone
CFE	Treaty on Conventional Forces in Europe
CIS	Commonwealth of Independent States
CPU	Communist Party of Ukraine
CSCE	Conference on Security and Cooperation in Europe
CTBT	Comprehensive Test Ban Treaty
CTR	Cooperative Threat Reduction Program
HEU	Highly Enriched Uranium
IAEA	International Atomic Energy Agency
ICBM	Intercontinental Ballistic Missile
INF	Intermediate Range Forces Treaty
INR	Bureau of Intelligence and Research (of the US Department of State)
JAF	Joint Armed Forces [of the Commonwealth of Independent States]
JCIC	Joint Compliance and Inspections Committee
JCPOA	Joint Comprehensive Plan of Action
LEU	Low Enriched Uranium
MFA	Ministry of Foreign Affairs (of Ukraine)
MP	Member of Parliament
NACC	North Atlantic Cooperation Council
NAM	Non-Allied Movement
NATO	North Atlantic Treaty Organization
NKVD	<i>Narodnyi Komissariat Vnutrennikh Del</i> [People's Commissariat of Internal Affairs]
NNWS	Non-Nuclear Weapons State (under the NPT)
NPT	Nuclear Nonproliferation Treaty (Treaty on the Nonproliferation of Nuclear Weapons)
NSC	National Security Council (of Ukraine)
NWFZ	Nuclear Weapons Free Zone
NWS	Nuclear Weapons State (under the NPT)
PfP	Partnership for Peace
PNI	Presidential Nuclear Initiatives
PTBT	Partial Test Ban Treaty
SBU	<i>Sluzhba Bezpeky Ukrainy</i> [Security Service of Ukraine]
SLBM	Sea-launched ballistic missile
SRF	Strategic Rocket Forces [of the USSR]
SSD	Safe and Secure Disarmament of Nuclear Weapons
START	Strategic Arms Reduction Treaty (Treaty on Reductions and Limitations of Strategic Offensive Arms), also referred to as START I
UK	United Kingdom
UkrSSR	Ukrainian Soviet Socialist Republic
UNGA	United Nations General Assembly

UNR	<i>Ukrayinska Narodna Respublika</i> [Ukrainian People's Republic]
UNSC	United Nations Security Council
US	United States (of America)
USSR	Union of Soviet Socialist Republics



## Introduction

Few things have impacted the conduct on international affairs as much as nuclear weapons. Yet these weapons do not speak for themselves: they are developed, amassed or rejected by people acting in socio-political contexts, who collectively interpret their meaning and role in national and international life. One shared understanding of nuclear weapons is that they are dangerous for world security and their spread around the world must be curbed. This understanding provided the ethical underpinnings of the nuclear nonproliferation norm, formalized in the 1968 Treaty on the Non-proliferation of Nuclear Weapons (NPT) and the elaborate international nonproliferation regime that developed around it.

With 190 member states and few instances of noncompliance, the NPT is one of the most prominent and enduring international regimes in history. Only five NPT members – China, France, Russia, the UK and the US – are recognized as legitimate possessors of nuclear weapons pending their complete and total disarmament. The other 185 states, by joining the NPT undertook not to develop or otherwise obtain nuclear weapons, defying earlier predictions that nuclear acquisition would spread like falling dominos. Four of these states – South Africa, Ukraine, Kazakhstan and Belarus – renounced the nuclear weapons they already had and joined the NPT as non-nuclear-weapon states. Not all states opted to join the NPT, however: Israel, India, Pakistan and North Korea have developed nuclear weapons and currently remain outside of the regime. The recent invasion of Ukraine, a country that gave up nuclear weapons, by a nuclear-armed Russia also questions the prudence of nuclear renunciation and abstention. How is it then that such a multitude of states, many of them more economically and technologically capable than the NPT holdouts, chose to abstain from developing nuclear weapons or even give them up?

The extent of world-wide nuclear restraint and the endurance of the regime designed to bring it about emerged as one of the main puzzles of the nuclear age. Yet the reasons behind the

apparent salience of the NPT and its role in nuclear restraint and renunciation are still debated. Indeed, much of the scholarship on nuclear decision-making has been dismissive of the NPT, regarding it as a mere byproduct of decisions of nuclear forbearance driven by other systemic and domestic considerations: security, great power inducements, economic costs or national identity. In such view, the NPT becomes at best symbolic and at worst – an organized hypocrisy. Others challenge this view and argue that the NPT is a necessary albeit insufficient condition for nuclear restraint. All of the approaches have blind spots as they privilege, explicitly or implicitly, either the domestic political sphere or the international systemic level in accounting for how the NPT works or could be expected to work.

This dissertation proposes to locate the nuclear discourses at the intersection of the domestic and the international, and undertakes to explore the role of the nonproliferation norm embedded in the NPT by investigating decisions of nuclear renunciation and NPT accession of Belarus, Kazakhstan, and Ukraine. As a result of the Soviet collapse in 1991, Soviet Union's staggering nuclear capabilities became scattered across the territory of not one, but four newly sovereign states. Of these, the Russian Federation was immediately and uncontestedly recognized as the legal successor to the USSR's nuclear status under the NPT. The three non-Russian former Soviet republics, however, were met with a uniform expectation of the international community to disarm and join the NPT as non-nuclear-weapons states. By 1994 they did just that, and by 1996 all nuclear weapons were transferred from their territory to Russia. Yet the three Soviet successors followed a remarkably different paths toward the NPT. In Belarus, denuclearization and NPT accession transpired in a consistent and smooth manner, Kazakhstan's path was marked by periods of contestation and hesitation, while Ukraine became the *enfant terrible* of post-Soviet nuclear disarmament. While Ukraine, too, eventually joined the NPT and disarmed, its path was convoluted and complicated by the claim that it was the rightful owner of the nuclear armaments on its territory as a successor state of the USSR.

The divergent paths of Ukraine, Belarus and Kazakhstan toward the NPT present a rich empirical opportunity to examine the regime and its norms, but have thus far been understudied and not examined specifically in relation to the NPT.<sup>1</sup> That the nuclear decision-making discourses in the three post-Soviet republics issued from the same grand historical transformations and transpired in the same historical time, allows for a remarkably even cross-case comparisons of the role of international norms on disarmament decision-making. Drawing on previously untapped documental records from the archives of Belarus, Kazakhstan, and Ukraine this dissertation reconstructs the denuclearization paths of the three Soviet successor states to investigate how the NPT and its norms interacted with their domestic political discourses in the process of nuclear decision-making.

The dissertation is structured in five chapters. Chapter One provides a theoretical overview of current explanations of the role of international norms and regimes in nuclear nonproliferation, which it finds unable to account for the intersubjective ontology of norms and thus to detect their manifestations in real-world politics. Drawing on constructivist approach norm scholarship, it proceeds to outline a number of normative mechanisms to help guide the empirical inquiry. These include both regulative mechanisms such as normative reasoning and normative match, and constitutive mechanisms, including the delineation of normative space, allocation of the burden of proof, normative grammar, and legitimation of norm enforcement. Chapter Two provides a contextual historical setting for the case studies and discusses developments equally relevant for all three cases. Chapters Three, Four and Five reconstruct the cases of nuclear disarmament of Ukraine, Belarus and Kazakhstan respectively.<sup>2</sup>

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<sup>1</sup> There is a small number of earlier comparative accounts of post-Soviet nuclear disarmament, based on oral history and English-language sources, including William Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, Occasional Paper (Washington, DC: Henry L. Stimson Center, April 1995); Mitchell Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities* (Woodrow Wilson Center Press, 1995); Steven Miller, "Chapter 4. The Former Soviet Union," in *Nuclear Proliferation after the Cold War*, ed. Mitchell Reiss and Robert Litwak (Washington, DC: Woodrow Wilson Center Press, 1994).

<sup>2</sup> Fragments of Chapters One, Two and Three appeared earlier in Mariana Budjeryn, "The Power of the NPT: International Norms and Ukraine's Nuclear Disarmament," *The Nonproliferation Review* 22, no. 2 (June 2015): 203–

The inquiry reveals that during and immediately after the collapse of the Soviet Union the proscriptions of the NPT came into tension with the dispute over Soviet succession, particularly in the military realm. Political actors in the non-Russian republics came to challenge Russia's claim to be the sole heir to Soviet legacy, including the nuclear weapons, although such voices were least prominent in Belarus. In Kazakhstan and most persistently in Ukraine, political actors claimed legitimate rights to their nuclear inheritance on the basis of their status as legal successor states of the USSR, a nuclear power of which they had been constitutive parts. In Kazakhstan such claims were driven by the attempts to preserve the common post-Soviet military-strategic space, while in Ukraine they were driven by the quest for formal, recognized equality with Russia as a way to break what was perceived as a historical pattern of its domination. These claims of the non-Russian successor states to their nuclear inheritance contradicted the proscription of the nonproliferation norm on the spread of the nuclear weapons to new possessors.

In this normative conflict, the nonproliferation norm and the NPT manifested their constitutive capacity to structure and frame nuclear discourses. First, the NPT guarded a separate normative space for nuclear possession. After all, the claim to legal succession was not controversial in itself: the non-Russian republics were recognized Soviet successor in regard to conventional armaments. Yet the mere existence of the NPT meant that the nuclear part of the Soviet inheritance fell under a different set of rules. Second, the NPT provided the normative grammar: its stark binary categories of “nuclear-weapons state” and “non-nuclear-weapons state” had no place for any in-between claims of Ukraine or Kazakhstan. Third, the nonproliferation norm levied the burden of proof squarely on Ukraine, Belarus, and Kazakhstan by designating them as potential proliferators. And finally, the nonproliferation norm

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237; Mariana Budjeryn, “Looking Back: Ukraine’s Nuclear Predicament and the Nonproliferation Regime,” *Arms Control Today* 44, no. 10 (December 2014): 35–40; Mariana Budjeryn, “The Breach: Ukraine’s Territorial Integrity and the Budapest Memorandum,” *Woodrow Wilson Center NPIHP*, September 2014, <http://www.wilsoncenter.org/sites/default/files/Issue%20Brief%20No%203--The%20Breach--Final4.pdf>.

legitimized the threat by the US, Russia and the international community of negative consequences for nuclear proliferation.

By examining the denuclearization and NPT accession of Belarus, Ukraine, and Kazakhstan, the dissertation seeks to contribute on two levels. First, the dissertation contributes to the debate on how the nuclear nonproliferation norm embedded in the NPT is implicated in decisions of nuclear renunciation and restraint in different political settings. The way we understand the role of nuclear weapons in the world is no trifling matter. If, as international society, we share the belief that the spread of nuclear weapons is not only detrimental to peace but threatening to our very existence as species, and have succeeded in formalizing it in an international norm, then we must know how this norm plays out in real-world politics and what interpretations and challenges it encounters. Along with South Africa, the post-Soviet cases are the only instances of nuclear rollback in history and, therefore, bear relevance to present-day international efforts to make the NPT universal by bringing the nuclear holdouts, such as Israel, India and Pakistan, into its fold. Thus, the study of the NPT has practical policy implications for states and non-state actors alike who are vested in the nonproliferation cause and must decide on the most effective means of communication within the regime and outside of it, and how to best channel their limited resources toward nonproliferation goals.

The second contribution the dissertation seeks to make is empirical. To the best of this author's knowledge, this is the first multi-archival comparative account of the denuclearization of Belarus, Kazakhstan and Ukraine. Earlier studies, excellent though they are, relied overwhelmingly on English-language US-focused sources, news reports and interview data. I seek to augment them with perspectives from Kyiv, Minsk and Almaty and reconstruct the story as it looked to the Belarusian, Kazakhstani and Ukrainian decision-makers at the time. The history of post-Soviet denuclearization is fascinating in its own right: the three former Soviet republics practically overnight became hosts of staggering arsenals of world's most formidable weapons before they

could formulate a demand for these weapons. While Belarus, Kazakhstan, and Ukraine went about interpreting their nuclear inheritance differently, archival records reveal that majority of actors considered their nuclear inheritance not only, not even primarily in military-strategic terms. Rather, the nuclear considerations became part of emerging national security narratives heavily influenced by national identity, historical interpretations and negotiations of these states' new role as sovereigns in the international system.

The reconstruction of the Ukrainian case is particularly pertinent, not only because much can be gleaned from Ukraine's contestation of the NPT but also in view of the Russo-Ukrainian conflict that erupted in 2014 and brought about the renewed interest to Ukraine's denuclearization. The current tensions also gave rise to simplistic claims and troubling revisionist interpretations, in both Ukraine and Russia, of the post-Soviet denuclearization dynamics. This dissertation thus aims to contribute to the evidence-based discussion of the dynamics of Ukraine's nuclear disarmament.

On the most general level, this study is driven by and contributes to the recognition that our shared understandings shape the world around us. It is an empowering thought yet it does not lead to the image of a volutaristic world. On the contrary, a better understanding of how our shared understandings emerge and in what ways they continue to shape our common political life on this planet, laden with nuclear armaments as it is, should make us more aware and, thus, more responsible for the words we utter and the actions we choose.

## Chapter One. Great Expectations: NPT and Nuclear Restraint

“Atomic energy cannot be considered simply in terms of military weapons but must also be considered in terms of a new relationship of man to the universe.”

Henry L. Stimson, US Secretary of War (1940-1945)<sup>3</sup>

### Nuclear Weapons and the NPT

Ever since humans invented nuclear weapons, they have been trying to make sense of the world transformed by their invention, the world in which they, for the first time, possessed the capacity to destroy much of biological life on Earth, including themselves. Nuclear weapons were first developed by the US and used once against Japan during WWII. In August 1945, the US Air Force dropped two atomic bombs, codenamed “Little Boy” and “Fat Man,” on the Japanese cities of Hiroshima and Nagasaki, inflicting the kind of devastation for which hundreds of conventional bombs would have been required. Many in the US military initially regarded nuclear bombs as no different than other weapons, only bigger and better.<sup>4</sup> Soon, however, a different understanding of nuclear weapons and their meaning in international politics emerged within the US political and strategic community. A volume of essays edited by American strategist Bernard Brodie titled *The Absolute Weapon: Atomic Power and World Order* published in 1946 played an important role in conceptualizing nuclear weapons as a revolutionary weapon. As one contributor to the volume Frederic Dunn put it, nuclear weapons made a “different kind of difference” due to their immense and indiscriminate destructive power.<sup>5</sup> Brodie and his colleagues argued that the nuclear weapons altered the basic character of war itself by making

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<sup>3</sup> Henry L. Stimson, “The Decision to Use the Atomic Bomb,” *SAIS Review* 5, no. 2 (Summer-Fall 1985): 6. Stimson’s article was originally published in Harper’s Magazine in February 1947.

<sup>4</sup> Nina Tannenwald, “Stigmatizing the Bomb: Origins of the Nuclear Taboo,” *International Security* 29, no. 4 (2005): 5, 15–16.

<sup>5</sup> Frederick Dunn, “The Common Problem,” in *The Absolute Weapon*, ed. Bernard Brodie (New York: Harcourt, 1946), 4.

traditional notions of battlefield victory obsolete: nuclear weapons were meant to prevent, not win wars.<sup>6</sup>

The Soviet nuclear test in August 1949 spelled the end of the US nuclear monopoly. In 1952, the UK became the third country to test a nuclear device and develop an indigenous nuclear arsenal, followed by France in 1960. Yet it was the nuclear competition between the US and the USSR that became the defining feature of the Cold War that dominated much of the post-WWII international life. The recognition of the exceptional quality of nuclear weapons underpinned the thinking on mutual nuclear deterrence on both sides of the rivalry. Nuclear deterrence rested on the belief that a credible threat to inflict unacceptable consequences by a nuclear strike would prevent a nuclear use by an adversary. However, when the superpowers considered how to ensure that their nuclear deterrent was credible and that the consequences it threatened to inflict were sufficiently unacceptable, the answer invariably led to more, bigger, and smarter nuclear armaments, locking the two superpowers in a nuclear arms race.

Ironically, the same recognition of the uniqueness and immensity of destructive power of nuclear weapons also gave rise to an opposite set of understandings: that nuclear weapons are threatening to world security and therefore their spread around the world must be curbed, until they are eradicated altogether as a class of weapons.<sup>7</sup> This understanding formed the premise of the anti-nuclear activism by nuclear scientists that sprung up immediately following the US bombings of Japan and eventually grew into massive popular protest campaigns in late 1950s and early 1960s.<sup>8</sup> In addition to transnational advocacy movements, states like Ireland and members of the Non Aligned Movement (NAM), feeling threatened by the superpowers' nuclear arms

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<sup>6</sup> Bernard Brodie, ed., *The Absolute Weapon: Atomic Power and World Order* (New York: Harcourt, 1946), 76.

<sup>7</sup> Lawrence S. Wittner, *One World or None: A History of the World Nuclear Disarmament Movement Through 1953*, *The Struggle Against the Bomb: Volume One* (Stanford, CA: Stanford University Press, 1993), especially Chapters 2, 5 and 6.

<sup>8</sup> In fact, nuclear apprehensions may be older than the bomb itself. H.G. Wells's 1914 science fiction novel *The World Set Free* imagines a disastrous war fought with atomic bombs. The most authoritative account of the anti-nuclear movement is Lawrence Wittner's three volume history. See Lawrence S. Wittner, *The Struggle Against the Bomb* (Stanford, CA: Stanford University Press, 1993, 1997, 2003).



race, engaged in anti-nuclear activism that yielded a string of UN resolutions throughout the late 1950s and early 1960s and formulated the concept of a nonproliferation treaty based on general acceptance of the principal that the increased number of nuclear possessors spelled increased probability of a nuclear war.<sup>9</sup>

The Cuban missile crisis in 1962 and the Chinese nuclear test in 1964, provided the additional impetus for the US and USSR to cooperate in the negotiations of the Treaty on the Nonproliferation of Nuclear Weapons (NPT), which was eventually signed on July 1, 1968.<sup>10</sup> The main purpose of the treaty, at least from the US standpoint, was to prevent the spread of nuclear weapons beyond the five countries that had them at the time it was signed.<sup>11</sup> This proscription on new nuclear acquisition formalized in the NPT became known as the nonproliferation norm. The treaty's preamble explicitly expounds the ethical judgment about the value of nuclear weapons in the world upon which the nonproliferation norm rests. Thus, signatory states adhere to it,

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

and

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

as well as

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independent of any State, ...and that the establishment and maintenance of international peace and security are to be

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<sup>9</sup> Mohamed I. Shaker, *The Nuclear Non-Proliferation Treaty: Origins and Implementation, 1959-1979*, vol. 1 (London: Oceana Publications, Inc., 1980), 28–29.

<sup>10</sup> Lawrence S. Wittner, *Resisting the Bomb: A History of the World Nuclear Disarmament Movement, 1954-1970*, The Struggle Against the Bomb: Volume Two (Stanford, CA: Stanford University Press, 1997), 432–5; Francis J. Gavin, “Blasts From the Past: Proliferation Lessons from the 1960s,” *International Security* 29, no. 3 (Winter 2004): 101–135; Francis J. Gavin, “Strategies of Inhibition: U.S. Grand Strategy, the Nuclear Revolution, and Nonproliferation,” *International Security* 40, no. 1 (Summer 2015): 9–46.

<sup>11</sup> George Bunn, “The Nuclear Nonproliferation Regime and Its History,” in *U.S. Nuclear Weapons Policy*, ed. George Bunn and Christopher Chyba (Washington, DC: Brookings Institution Press, 2006), 76.

promoted with the least diversion for armaments of the world's human and economic resources[.]<sup>12</sup>

This ethical judgment was then translated into a set of prescriptions and proscriptions for the two categories of states recognized therein: nuclear-weapons states (NWS) and non-nuclear-weapons states (NNWS). By adhering to the NPT, the NWS undertake not to transfer nuclear weapons, or control over them, or otherwise assist others states to acquire them (Article I) and NNWS for their part undertake not to receive, manufacture or otherwise acquire nuclear weapons (Article II).<sup>13</sup> In addition, the NNWS undertake to accept the full scope of safeguards by the International Atomic Energy Agency (IAEA) for the purposes of verifying compliance with the treaty (Article III).<sup>14</sup>

In addition, the treaty contains the so-called clause on peaceful uses, recognizing the inalienable right of all party states “to develop research, production and use of nuclear energy for peaceful purposes” (Article IV) and that to share “peaceful applications of nuclear explosions” with NNWS (Article V).<sup>15</sup> The treaty also contains a vision of a nuclear-free world expressed in the commitment of the all parties to the treaty “to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control” (Article VI).<sup>16</sup> The treaty defines a NWS as one which had manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967, and designates three governments, those of the UK, USSR and the US as the depository governments of the treaty (Article IX).<sup>17</sup> Together, the nonproliferation norm, the disarmament norm and the peaceful uses norm constitute the so-called three “pillars” of the NPT. Although

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<sup>12</sup> *Treaty on the Non-Proliferation of Nuclear Weapons*, July 1, 1968, United Nations Office for Disarmament Affairs, <http://www.un.org/disarmament/WMD/Nuclear/NPTtext.shtml>.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

the relative weight and significance of the three pillars is a matter of some debate, the nuclear nonproliferation is certainly the central purpose of the treaty.<sup>18</sup>

Since the conclusion of the NPT in 1968 and its entry into force in 1970, an elaborate nuclear nonproliferation regime developed around the treaty that now comprises a complex system of multilateral institutions, bilateral agreements and unilateral commitments aimed at verifying compliance with the treaty, preventing its violation and generally furthering its goals.<sup>19</sup> The most prominent of these institutions, the IAEA, in fact predates the NPT. Established in 1957 as a result of US President Dwight Eisenhower's 1953 Atoms for Peace proposal, with both the US and the USSR among its founding members, the IAEA aimed at encouraging the civilian uses of nuclear energy.<sup>20</sup> While the IAEA developed a system of safeguard to prevent civilian nuclear assistance from being channeled toward military purposes, membership in the agency did not entail a commitment not to build nuclear weapons, and the NPT, into which IAEA's inspections mandate was incorporated under Article III, in effect came to fill this gap.

While nuclear testing above ground, under water and in outer space has been prohibited with the signature of Partial Test Ban Treaty (PTBT) in 1963, the NPT Preamble called for a complete ban on nuclear testing.<sup>21</sup> This ushered negotiations of the Comprehensive Test Ban Treaty (CTBT), adopted by the UN General Assembly in September 1996.<sup>22</sup> The Nuclear Suppliers Group (NSG) comprising of 48 states is another important extension of the nonproliferation regime and aims to control nuclear-related exports, especially to those "rare but important cases where adherence to the NPT... may not by itself be a guarantee that a State will consistently

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<sup>18</sup> Daniel H Joyner, *Interpreting the Nuclear Non-Proliferation Treaty* (Oxford: Oxford University Press, 2011); See Norman A. Wulf, "Misinterpreting the NPT. A Review Essay," *Arms Control Today* (August 30, 2011), [https://www.armscontrol.org/2011\\_09/Misinterpreting\\_the\\_NPT](https://www.armscontrol.org/2011_09/Misinterpreting_the_NPT).

<sup>19</sup> Bunn, "The Nuclear Nonproliferation Regime and Its History."

<sup>20</sup> David Fischer, *History of the International Atomic Energy Agency: The First Forty Years* (Vienna: The Agency, 1996), 9.

<sup>21</sup> *Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water*, August 8, 1963, [http://disarmament.un.org/treaties/t/test\\_ban](http://disarmament.un.org/treaties/t/test_ban); *Treaty on the Non-Proliferation of Nuclear Weapons*, Preamble.

<sup>22</sup> CTBT has not yet come into force since not enough states ratified it, however, the NPT NWS have unilaterally chosen not to conduct nuclear testing, in accordance with the treaty.

share the objectives” and thus be in compliance with the treaty.<sup>23</sup> In addition, the nonproliferation regime includes such elements as nuclear-free zones, envisioned by the Article VII of the NPT, as well as a range of measures to improve the physical protection of nuclear materials against possible theft or sabotage.<sup>24</sup>

To date, 190 states have joined the NPT, 185 of which – as NNWS, making it one of history’s most widely adhered to international treaties, and certainly the most widely adhered to arms control treaty. That so many states should curtail their prerogative to develop world’s most fearsome weapons is a truly impressive fact, particularly given the history of gloomy expectations to the contrary. Throughout the 1960s and 1970s, the US government produced consistently pessimistic prognoses about nuclear proliferation, estimating that anywhere from 15 to 25 states would develop nuclear explosive devices in a decade’s time.<sup>25</sup> Domino theories of nuclear proliferation predicted that nuclear acquisition by one state would trigger exponential proliferation by its neighbors and foes that would feel threatened and want a nuclear deterrent of their own. After the fall of the Soviet Union and the disruption of the allegedly stable bipolar international system, the fears of proliferation resurged once again.<sup>26</sup>

These predictions, however, failed to materialize.<sup>27</sup> Although the vast majority of states party to the NPT had neither the technological capacity, nor the desire to develop nuclear weapons, many states capable of developing nuclear weapons chose nuclear restraint instead. Furthermore, there have been four cases of nuclear renunciation when the states that possessed nuclear weapons – South Africa, Belarus, Kazakhstan and Ukraine – chose to surrender them and join the NPT as NNWSs. Beyond the five NWS recognized by the NPT, only four

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<sup>23</sup> Nuclear Suppliers Group website <http://www.nuclearsuppliersgroup.org/en/about-us>

<sup>24</sup> Bunn, “The Nuclear Nonproliferation Regime and Its History,” 81–83.

<sup>25</sup> Peter R. Lavoy, “Predicting Nuclear Proliferation: A Declassified Documentary Record,” *Strategic Insights* 3, no. 1 (January 2004), <https://fas.org/man/eprint/lavoy.pdf>.

<sup>26</sup> John J. Mearsheimer, “Back to the Future: Instability in Europe after the Cold War,” *International Security* 15, no. 1 (Summer 1990): 5–56.

<sup>27</sup> Interestingly, Nicholas Miller has argued that the belief in the domino theory and fear of its predictions may have led, particularly in the US, to a more robust nonproliferation policy. Nicholas L. Miller, “Nuclear Dominoes: A Self-Defeating Prophecy?,” *Security Studies* 23, no. 1 (2014): 33–73.

additional nuclear states currently exist in the world, not dozens like predicted earlier. Israel, India and Pakistan, never joined the NPT and developed nuclear weapons outside of the regime. North Korea developed much of its nuclear weapons capability while a member of the NPT thus violating the treaty. In addition to the current nine nuclear possessors, there have been throughout the history of the NPT only nine confirmed or suspected cases of violation of the treaty by its members. In addition to North Korea, these include South Korea, Yugoslavia, Romania, Iran, Iraq, Libya and Syria.<sup>28</sup> All of these states, with the exception of North Korea, which in 2003 withdrew from the NPT and proceeded to tested its first nuclear weapon in 2006, have been brought into compliance with the nonproliferation regime. Most recently, on July 14, 2015, six world powers (the US, the UK, France, Russia, China and Germany) have successfully concluded the Joint Comprehensive Plan of Action (JCPOA) aimed at curtailing the suspected Iranian nuclear weapons program.

Indeed, it is the lack of nuclear proliferation, not its expected abundance that emerged as the central puzzle for nuclear historians and political scientists.<sup>29</sup> What explains this extensive world-wide nuclear restraint? Why do states choose to join the NPT, a decision that involves undertaking the obligation to abstain from or relinquish the world's most powerful weapons? Is the NPT's nonproliferation norm itself implicated in the decisions of nuclear restraint and renunciation or is the near-universal adherence to the treaty merely an aggregate of nonproliferation decisions driven by factors other than the nonproliferation norm? Despite the near-universality and institutional prominence of the NPT, the role of the nonproliferation norm in decisions to forgo nuclear weapons is much disputed.

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<sup>28</sup> Scott D Sagan, "Nuclear Power, Nuclear Proliferation and the NPT," in *2010 American Political Science Association Meeting*, 2010, 8–9.

<sup>29</sup> Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities*; Mitchell Reiss, "The Future That Never Came," *The Wilson Quarterly* 19, no. 2 (1995): 50–66.

## The Nonproliferation Norm and Nuclear Choices

While the workings of the NPT seems to be essentially an empirical question, the academic inquiry into the nonproliferation regime has been inevitably informed by the different assumptions and predictions the main theoretical schools of International Relations (IR) hold about the role of international norms in world politics. This section considers how nuclear restraint and the role of the NPT has been discussed in the IR literature so far and how this discussion has been colored by the ontological and epistemological commitments of two main metatheories in social science: rationalism and constructivism.

### *Rationalist Theories*

Rationalism, or rational choice, is a broad metatheoretical approach which explains foreign policy outcomes in terms of individual goal-seeking under constraints.<sup>30</sup> ‘Individuals’ are understood as individual actors which could be states, institutions or individual people, depending on which particular rationalist theory is invoked. Rationalist theories are neo-utilitarian in that they view all actors as wanting to maximize their utility defined usually in material terms such as power, security and wealth, while ideational goals are either less important, unimportant or even harmful as drivers of state behavior.<sup>31</sup>

**Neorealism.** Nuclear decision-making has been traditionally the domain of neorealist theorizing. According to the neorealist ontology, states are the principal actors of international politics, and they are driven by self-interest to maximize their security, for which they need power defined in terms of material capabilities.<sup>32</sup> This overriding state preference is dictated by the anarchical nature of the international system, in which states must compete with each other, using force if necessary. Thus, conflict is endemic in world politics and can be alleviated only

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<sup>30</sup> Duncan Snidal, “Rational choice and international relations”, in Carlsneas et al., *Handbook of International Relations*, 74.

<sup>31</sup> Snidal, “Rational choice and international relations”, 75.

<sup>32</sup> Hans Morgenthau, *Politics among Nations*, Fifth Edition (1973). (New York: Alfred A. Knopf, Inc., 1948), 5.

through the careful maintenance of the balance of power, which is ultimately fragile, since it is constrained by the dominating logic of security competition.<sup>33</sup>

Neorealists acknowledge the existence of norms and regimes, yet deny that they have any independent effect on international politics, indeed, they are epiphenomenal. As Randall Schweller puts it, institutions “work best when they are needed least or simply do not work at all.”<sup>34</sup> Norms are essentially reflections of great power interests, whereas institutions are simply “arenas for acting out power relations.”<sup>35</sup> Furthermore, realists argue that policies guided by a “false faith” in norms as anything other than a reflection of power relations are delusional and bound to fail.<sup>36</sup> Moreover, a faith in any moral principle in international politics is not only futile, but also dangerous: as Hans Morgenthau wrote, it leads into “the blindness of crusading frenzy, destroys nations and civilization – in the name of moral principle, ideal, or God himself.”<sup>37</sup>

In the neorealist world there are strong incentives for states to acquire nuclear weapons as a way to provide for their own security at a reasonable cost.<sup>38</sup> These incentives are normally external and constitute a response to a security threat or a shift in the balance of power. Once one state acquires nuclear weapon, the balance of power requires that its main rivals follow suite. In short,

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<sup>33</sup> John J Mearsheimer, “The False Promise of International Institutions,” *International Security* 19, no. 3 (1994): 9; The so-called “competition bias” is not shared by all scholars working in the realist tradition. Charles Glaser, for instance, argues that, under a range of conditions, states can best provide for their security by cooperating rather than competing. See Charles L. Glaser, “Realists as Optimists: Cooperation as Self-Help,” *International Security* 19, no. 3 (Winter -1995 1994): 50–90.

<sup>34</sup> Randall L. Schweller, “The Problem of International Order Revisited. A Review Essay,” *International Security* 26, no. 1 (2001): 163.

<sup>35</sup> Mearsheimer, “The False Promise of International Institutions,” 7, 13.

<sup>36</sup> Ibid., 49; also see Susan Strange, “Cave! Hic Dragones: A Critique of Regime Analysis,” in *International Regimes*, ed. Stephen D Krasner (Ithaca, NY: Cornell University Press, 1983); Brian C. Rathbun, “The ‘Magnificent Fraud’: Trust, International Cooperation, and the Hidden Domestic Politics of American Multilateralism after World War II,” *International Studies Quarterly* 55, no. 1 (March 2011): 1–21.

<sup>37</sup> Morgenthau, *Politics among Nations*, 11; Here, Morgenthau echoes the argument of German political theorist Carl Schmitt who similarly warned about the propensity of idealistic motives in relations between states to lead to total wars. See Carl Schmitt, *The Concept of the Political* (Chicago: University of Chicago Press, 1932), 36.

<sup>38</sup> Kenneth N Waltz, “Chapter 1. More May Be Better,” in *The Spread of Nuclear Weapons* (New York: W W Norton {&} Company, 1995).

as former US Secretary of State George Shultz summed up, proliferation begets proliferation.<sup>39</sup> Some neorealists, most famously Kenneth Waltz, argued that nuclear proliferation is ultimately a good thing because the relationships of mutual deterrence between multiple nuclear possessors would yield a more peaceful world.<sup>40</sup> The built-in incentives to proliferate can be overridden only by superpower inducements, either positive, such as security guarantees and “nuclear umbrellas” or negative such as sanctions.<sup>41</sup> If states accede to the NPT and forgo the nuclear option, it is only due to the weight of the great powers that induce states to join and abide by it. The NPT is, therefore, at worst an organized hypocrisy and at best a byproduct of the existing balance of power. As Richard Betts puts it, “treaties... are effects of nonproliferation, not causes of it. The NPT and CTBT *reflect* the intent of their adherents to abjure nuclear weapons” but do not prevent states from acquiring them.<sup>42</sup>

Neorealism has difficulty explaining the existence and endurance of the nonproliferation regime: if membership in such a regime is bereft of any significance, why would states bother to join it, or why would great powers bother to expend resources to keep states in it? Neorealists also struggle to account for worldwide nuclear abstinence. In a world of security competition between self-regarding states where conflict is endemic, constant inducements would be necessary to prevent states from acquiring nuclear weapons. Alliances offering “nuclear umbrellas” to dissuade nuclear acquisition would be fragile to begin with, but their disappearance as with the collapse of the Warsaw Pact and the Soviet Union should have resulted in states seeking their own nuclear deterrent.<sup>43</sup> Such neorealist predictions, however, failed to materialize. The number of nuclear-armed states not only remained remarkably low, but the majority of

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<sup>39</sup> George Shultz, “Preventing the Proliferation of Nuclear Weapons,” *Department of State Bulletin* 84, no. 2093 (December 1984): 18; in Scott D Sagan, “Why Do States Build Nuclear Weapons?: Three Models in Search of a Bomb,” *International Security* 21, no. 3 (1996): 57.

<sup>40</sup> Waltz, “Chapter 1. More May Be Better.”

<sup>41</sup> *Ibid.*

<sup>42</sup> Richard K. Betts, “Universal Deterrence or Conceptual Collapse? Liberal Pessimism and Utopian Realism,” in *The Coming Crisis: Nuclear Proliferation, U.S. Interests, and World Order*, ed. Victor Utgoff (Cambridge, MA: MIT Press, 2000), 69.

<sup>43</sup> For a prediction to this effect see Mearsheimer, “Back to the Future: Instability in Europe after the Cold War”; John Mearsheimer, “The Case for a Ukrainian Nuclear Deterrent,” *Foreign Affairs* 72, no. 3 (1993): 50–66.



states in the international system do cooperate on nuclear nonproliferation within the NPT, with no great power inducements required to keep them in the regime or prevent them from acquiring nuclear weapons.<sup>44</sup>

**Neoliberal Institutionalism.** Neorealist view of international politics came under criticism from neoliberal institutionalists who maintained that nations can and do cooperate as well as fight.<sup>45</sup> Robert Keohane famously argued that human beings are capable of developing institutions and practices that “will enable them to cooperate more effectively without renouncing the pursuit of self-interest.”<sup>46</sup> Neoliberal scholars have also noted that because of the declining utility of force in the post-WWII international order it is becoming increasingly difficult to translate military might into other kinds of power, such as economic and political.<sup>47</sup>

International institutions become possible and enduring because they serve the utility of states: they reduce transaction costs of individual agreements and alleviate the problem of cheating because the states are likely to forgo shorter-term gains of cheating, for the longer-term benefits of cooperation.<sup>48</sup> While the ultimate drivers of state behavior remain the maximization of power and wealth, norms and institutions become important as intervening variables capable of modifying state behavior.<sup>49</sup> Yet they may not be sufficient to constrain state behavior the security sphere, where the logic of competition and distrust is particularly strong and the prospects of long-term stable cooperation remain “more impoverished.”<sup>50</sup>

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<sup>44</sup> T.V. Paul, *Power versus Prudence: Why Nations Forgo Nuclear Weapons* (Montreal: McGill-Queen's University Press, 2000), 8–9.

<sup>45</sup> Some of the most prominent neoliberal critiques of realism include Robert O Keohane and Joseph Nye, *Power and Interdependence: World Politics in Transition* (Boston, MA: Little, Brown, 1977); Stephen D Krasner, *International Regimes* (Ithaca, NY: Cornell University Press, 1983); Robert O Keohane, *After Hegemony*, Cooperation and Discord in the World Political Economy (Princeton University Press, 1984); Oran R Young, *International Cooperation* (Ithaca, NY, 1989); Robert O Keohane and Lisa L. Martin, “The Promise of Institutional Theory,” *International Security* 20, no. 1 (Summer 1995): 39–51.

<sup>46</sup> Keohane, *After Hegemony*, 29–30.

<sup>47</sup> Keohane and Nye, *Power and Interdependence: World Politics in Transition*.

<sup>48</sup> Keohane, *After Hegemony*, 85, 89–92.

<sup>49</sup> Krasner, *International Regimes*, 5.

<sup>50</sup> Charles Lipson, “International Cooperation in Economic and Security Affairs,” *World Politics* 37, no. 1 (October 1984): 5.

Nevertheless, this conceptualization of institutions allows that the NPT, by providing verification and transparency, could be a solution to the collective action problem for the non-nuclear-weapons states.<sup>51</sup> In pursuit of security, states may choose to restrain their nuclear acquisition by joining the treaty for the sake of increased confidence that their neighbors will follow suit or that at least they will get some advance warning that the break out from the treaty is coming.<sup>52</sup> It would then follow that cheating within the NPT or a breakout from it would seriously undermine the treaty, since it would negate the ‘benefits’ due to which states joined it in the first place. The empirical evidence for these predictions, however, is not consistent: while the Iraqi nuclear weapons program may have stimulated Iran’s search for the bomb, the nuclearization of North Korea and its withdrawal from the NPT did not trigger the same response from South Korea or Japan.

Like neorealism, neoliberal approaches are essentially systemic and their assumptions about unchanging state motives of rational self-help blackboxes domestic politics.<sup>53</sup> Yet to argue that various costs and benefits ‘must have’ driven states to (or away from) certain international institutions but not to account for the way these costs and benefits are negotiated and interpreted by the actors is to put the main explanatory variables of the theory outside of its purview. As Friedrich Kratochwil argues, “without specifying *ex ante* what counts as ‘cost,’ it is... difficult to see how the demand for regimes can bring them into existence or why the existence of a regime should deter defections.”<sup>54</sup> In other words, by blackboxing domestic preferences, neoliberal institutionalism fails to explain how international regimes emerge and induce compliance by factors endogenous to their theory.<sup>55</sup>

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<sup>51</sup> Sagan, “Why Do States Build Nuclear Weapons?: Three Models in Search of a Bomb,” 62; Joseph S. Nye, “Maintaining a Nonproliferation Regime,” *International Organization* 35, no. 1 (Winter 1981): 15–38.

<sup>52</sup> Sagan, “Why Do States Build Nuclear Weapons?: Three Models in Search of a Bomb,” 62.

<sup>53</sup> *Ibid.*, 63.

<sup>54</sup> Friedrich Kratochwil, “How Do Norms Matter?,” in *The Role of Law in International Politics*, ed. Michael Byers (Oxford: Oxford University Press, USA, 2000), 55.

<sup>55</sup> Anne Florini, “The Evolution of International Norms,” *International Studies Quarterly* 40, no. 3 (1996), 365.

**Domestic Politics.** Theories of domestic sources of foreign policies came in to remedy the shortcoming of systemic theories and their poor grasp of state preferences. One important strand of this literature, Andrew Moravcsik's liberal intergovernmentalism, embarked on opening the black box of the state and looking at how state preferences compound to produce foreign policies and international institutions.<sup>56</sup> International regimes, according to Moravcsik's theory, originate as particularistic state preferences, that may include various ideational interests, and are negotiated internationally to create and maintain regimes.<sup>57</sup> Moravcsik's is thus a linear bottom-up model that would predict that changes in domestic regimes and the emergence of new state preferences would have to translate in renegotiation of international institutions or state withdrawal from them. This would make international regimes more volatile than they appear to be: as discussed above, the NPT, for instance, has not only endured nearly five decades virtually unscathed, but seemed to have only grown in salience. That state preferences in nuclear abstention of such numerous and varied regimes as those of NPT member-states should have coincided for so long seems to suggest that there is something else at work than the aggregation of state preferences.

The solution in the rationalist literature to the domestic politics vs. international regime dilemma is to simply sidestep the problem of the emergence and endurance of international regimes and treat them as exogenous variables. Indeed, rationalist empirical inquiry into domestic level nuclear decision-making reveals that states must and do weigh in a whole host of issues when considering nuclear programs, including security threats, technological challenges, economic and human costs of a nuclear program, environmental hazards, bilateral and multilateral relations with allies and rivals, as well as the perceived prestige or opprobrium of international public

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<sup>56</sup> Andrew Moravcsik, "Taking Preferences Seriously: A Liberal Theory of International Politics," *International Organization* 51, no. 4 (October 1997): 513–553.

<sup>57</sup> Andrew Moravcsik, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe," *International Organization* 54, no. 2 (2000): 217–252.

opinion.<sup>58</sup> In addition, organizational biases and parochial interests of bureaucratic, economic and political groups within the state involved in decision-making will have a bearing on the decision to start or thwart nuclear acquisition.<sup>59</sup> Such domestic actors as the military, nuclear industry or political parties whose constituents support nuclear acquisition can form coalitions and influence nuclear decision-making within the domestic political sphere.<sup>60</sup>

Among the panoply of variables that influence nuclear decision-making, international norms may not matter at all. Etel Solingen, for example, in her study of nuclear (non)proliferation in the Middle East and East Asia, finds little evidence for the importance of the NPT.<sup>61</sup> She draws on domestic regime analysis to build a model of nuclear acquisition and restraint and finds that state's relationship to the global economy is the best predictor of their nuclear policy.<sup>62</sup> Solingen finds that in democratic liberal states that are integrated into the world economy, political elites, whose survival depends on the continuation and success of such integration, will opt for nuclear restraint.<sup>63</sup> Conversely, elites of inward-looking autarchic regimes will gravitate toward nuclear acquisition.<sup>64</sup> Solingen finds little evidence that the NPT and its norms were relevant in nuclear decision-making in most of her cases: "Would more states have opted for nuclear weapons had the NPT never been constructed? Not necessarily... The NPT may not have been necessary for most states to renounce nuclear weapons."<sup>65</sup>

Yet despite Solingen's skepticism about the role of the NPT, she does argue that those actors who emphasized economic growth and openness to the global economy and therefore favored

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<sup>58</sup> Although not specifically theoretical, the work of Mitchell Reiss offers rich empirics elucidating the complexities of domestic pressures in nuclear decision-making. See Mitchell Reiss, *Without the Bomb: The Politics of Nuclear Non-Proliferation* (New York: Columbia University Press, 1988); Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities*; Berry O'Neill, "Nuclear Weapons and the Pursuit of Prestige" (2002); Dong-Joon Jo and Erik Gartzke, "Determinants of Nuclear Weapons Proliferation," *Journal of Conflict Resolution* 51, no. 1 (2007): 167–194.

<sup>59</sup> Scott D Sagan, "Chapter 2. More Will Be Worse," in *The Spread of Nuclear Weapons* (New York: W W Norton & Company, 1995), 52–55.

<sup>60</sup> Sagan, "Why Do States Build Nuclear Weapons?: Three Models in Search of a Bomb," 63–73.

<sup>61</sup> Etel Solingen, *Nuclear Logics. Contrasting Paths of East Asia and the Middle East* (Princeton University Press, 2007).

<sup>62</sup> *Ibid.*

<sup>63</sup> *Ibid.*, 43.

<sup>64</sup> *Ibid.*, 40–47.

<sup>65</sup> *Ibid.*, 31.

nuclear restraint did so not only because of the economic resources that would otherwise be diverted toward a nuclear program. They also did so because they needed “to appeal to foreign investors” and due to “the requirement of secure access to international markets for exports, capital, technology and raw materials,” as well as to “the related aversion to risking reputational losses at home and abroad.”<sup>66</sup> The question then becomes, why would such access to investors and markets be threatened and “reputational losses” incurred for nuclear proliferation and how would the actors be able to anticipate them if there were no shared understanding that the spread of nuclear weapons was undesirable and would be sanctioned.

Thus, rationalist scholars of domestic politics are trapped in a bind: either they follow Moravcsik in explaining how state preferences give rise to international regimes but remain unable to explain why regimes endure beyond and despite changes in state preferences; or they take international regimes as exogenous to domestic politics and are then unable to adequately account for such phenomena as “reputational costs,” which do not seem to be reducible to domestically generated preferences.

The study of domestic politics has significantly advanced the field by opening up the “black box” of domestic decision-making and relaxing the neorealist and neoliberal assumptions that only power and perhaps wealth drive state behavior. Yet not unlike in the neorealist and neoliberal accounts, state preferences and interests, more pluralistic though they are, remain fixed givens, which complicates the ability of domestic politics scholarship to explain the relationship between state preferences and international regimes.

### *Constructivism*

Social constructivism has emerged as a metatheoretical critique of rationalist ontology and epistemology which treats ideational phenomena, such as norms, identities, beliefs and

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<sup>66</sup> Ibid., 275–6.

preferences as reified givens, locked in causal relationships similar to those found in the natural world. Nicolas Onuf, who coined the term “constructivism,” emphasized that as opposed to natural kinds governed by unchanging physical laws, social kinds come into being only through people’s shared understandings that give meaning to the world in which they live.<sup>67</sup> International norms, understood as shared expectations of proper behavior, are such social facts and have an irreducibly intersubjective dimension, that is, they depend on social interaction and common agreement for their emergence and continued existence.<sup>68</sup> By setting out expectations and prescriptions of what is the right and fitting course of action for certain actors in certain contexts, norms link the ideational realm with the real-world behavior of actors. Thus, far from being a mere byproduct of the balance of power or a reflection of converging state interests, norms become a crucial concept needed to understand how some actions in international relations become appropriate, legitimate and conceivable to begin with.<sup>69</sup>

Constructivist scholars allowed a number of possible relationships between international cultural and institutional environment, that includes international norms and regimes, on the one hand, and domestic-level cultural norms, national identities, interests and preferences, on the other.<sup>70</sup> International normative structures are capable of transforming state interests and policies directly or by shaping state identities, which in turn reproduce or reconstruct international cultural and institutional structure.<sup>71</sup> Even if states join regimes for instrumental reasons, much like neoliberal institutionalist scholars suppose, the norms perpetuated by them can eventually

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<sup>67</sup> Nicholas Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia, SC: University of South Carolina Press, 1989).

<sup>68</sup> John G Ruggie, “What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge,” *International Organization* 52, no. 04 (1998): 856.

<sup>69</sup> Anne Florini, “The Evolution of International Norms,” *International Studies Quarterly* 40, no. 3 (1996): 366.

<sup>70</sup> Ronald Jepperson, Alexander Wendt, and Peter Katzenstein, “Norms, Identity, and Culture in National Security,” in *The Culture of National Security. Norms and Identities in World Politics*, ed. Peter Katzenstein (New York: Columbia University Press, 1996), 36.

<sup>71</sup> *Ibid.*, 52–3.

become internalized and constitutive of their own interests and identities through a process of socialization.<sup>72</sup>

Moreover, in this interaction between the international and the domestic, norms cannot be expected to cause outcomes in the way rationalist scholarship expect them to. As Friedrich Kratochwil and John Ruggie argue:

...[N]orms can be thought of only with great difficulty as "causing" occurrences. Norms may "guide" behavior, they may "inspire" behavior, they may "rationalize" or "justify" behavior, they may express "mutual expectations" about behavior, or they may be ignored. But they do not affect cause in the sense that a bullet through the heart causes death or an uncontrolled surge in the money supply causes price inflation.<sup>73</sup>

Yet the guidance norms provide is seldom a smooth and linear process. Since norms gain meaning(s) through social interaction in political context, they can come into conflict with other norms, or domestic level identities and preference, and therefore are often contested.<sup>74</sup> In international normative sphere, the problem of norm interpretation is compounded by the fact that international norms even if formalized in charters and treaties are a product of sensitive negotiations and compromises that often leave them deliberately vague.<sup>75</sup>

In the nuclear realm, constructivist scholars take particular interest in how meanings, understandings and expectations about nuclear weapons are negotiated, shared and challenged by states and individuals and how they affect nuclear politics and policy. Nuclear weapons are not natural kinds, nor can they speak for themselves. Philosopher John Searle would designate nuclear weapons as ontologically subjective but epistemologically objective facts.<sup>76</sup> This means

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<sup>72</sup> Jepperson, Wendt, and Katzenstein, "Norms, Identity, and Culture in National Security"; Jeffrey Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly* 43, no. 1 (1999): 84–114; Martha Finnemore, "Norms, Culture, and World Politics: Insights from Sociology's Institutionalism," *International Organization* 50, no. 2 (1996): 325–347.

<sup>73</sup> Friedrich Kratochwil and John G Ruggie, "International Organization: A State of the Art on an Art of the State," *International Organization* 40, no. 04 (1986): 768.

<sup>74</sup> Antje Wiener, "Enacting Meaning-in-Use: Qualitative Research on Norms and International Relations," *Review of International Studies* 35, no. 1 (2009): 179.

<sup>75</sup> Philip Allott, "The Concept of International Law," in *The Role of Law in International Politics* (Oxford University Press, USA, 2000); Kratochwil and Ruggie, "International Organization: A State of the Art on an Art of the State."

<sup>76</sup> John R Searle, *The Construction of Social Reality* (Free Press, 1995), 9–13.

that their ontology is relative to the intentionality of their makers and users, without this intentionality, they are but a heap of metal, wires and chemicals. However, epistemologically, they are an objectively ascertainable fact, which does not depend on the opinion of any one person to be true. The specific technological properties of nuclear weapons, although man-made, delineate and constrain the universe of possible meanings of their use and possession, yet within this universe, a number of divergent, even contradictory meanings have been intersubjectively constructed.<sup>77</sup>

In domestic discourses of the nuclear-armed states, nuclear weapons are understood as legitimate means of national defense and the threat of their use forms the basis of nuclear deterrence. Nina Tannenwald, however, has traced the emergence of an informal moral prohibition on nuclear use – the nuclear taboo.<sup>78</sup> This informal global norm is based on the perception that nuclear weapons are abhorrent weapons of mass destruction and therefore considers their military use as unacceptable.<sup>79</sup> Tannenwald argues that, in addition to prudential deterrence considerations, the influence of the nuclear taboo on decision-makers in the US and its Western allies accounts for the continued non-use of nuclear weapons since 1945, although it remains inconclusive to what extent the taboo applied to other states.<sup>80</sup>

In the international normative space, the prohibition of nuclear use has not been formalized (yet), and nuclear use remains the purview of the national postures of nuclear possessors.<sup>81</sup> Moreover, the nuclear taboo pertains first and foremost to the (non)use of nuclear weapons, not

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<sup>77</sup> On social construction and technological determinism see Alexander Wendt, *Social Theory of International Relations* (Cambridge: Cambridge University Press, 1999), 111.

<sup>78</sup> Nina Tannenwald, *The Nuclear Taboo: The United States and the Non-Use of Nuclear Weapons since 1945* (Cambridge: Cambridge University Press, 2007); Tannenwald, “Stigmatizing the Bomb.”

<sup>79</sup> Tannenwald, “Stigmatizing the Bomb,” 8.

<sup>80</sup> *Ibid.*, 11.

<sup>81</sup> This state of affairs looks bound to change, however. There is currently a growing momentum behind the so-called Humanitarian Initiative spearheaded by a number of nonnuclear weapons states, including Austria, New Zealand, Ireland, and Mexico and which aims to achieve an international legal ban on both the use and the possession of nuclear weapons.



their possession, although the two cannot be entirely separated.<sup>82</sup> When it comes to nuclear possession, scholars have noted that there is another set of countervailing informal norms, referred to as the “nuclear myth,” that attaches symbolic power of immunity, national prestige, technological prowess and international status to possessors of nuclear weapons.<sup>83</sup> That the five veto members of the UN Security Council are the same as the recognized NWSs under the NPT seems to reinforce the glorification of nuclear possession.

Yet by far the most prominent international norm pertaining to nuclear possession is the nonproliferation norm formalized in the NPT. As mentioned above, the norm rests on the ethical value judgment that the increase of nuclear possessors in the world increases the likelihood of nuclear war which would be devastating for humanity. Thus, nuclear weapons ought not to proliferate to new possessors.

Surprisingly, constructivist studies of how the nonproliferation norm affects nuclear restraint and reversals, have been few and seem to yield conflicting insights. An important study by Maria Rost Rublee investigates the role of the nonproliferation norm in the decisions of nuclear forbearance in Japan, Egypt, Sweden, Germany and Libya, states that started but abandoned indigenous nuclear programs.<sup>84</sup> Drawing on insights from social psychology, Rublee outlines three causal mechanisms through which the nonproliferation norm can work: “normative persuasion,” whereby changing the underlying state preferences; social conformity driven by the desire to minimize social costs and maximize social rewards, while leaving preferences unchanged; and through identification and emulation of an important other, for instance a leading member of the nonproliferation regime like the US.<sup>85</sup> Rublee finds that the nonproliferation norm provided a “systemic impetus toward nuclear nonproliferation” within

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<sup>82</sup> Nuclear possession might become rather meaningless if a possessor does not intend to use, or produce a credible threat to use them in any circumstance.

<sup>83</sup> Karsten Frey, *Nuclear Weapons as Symbols: The Role of Norms in Nuclear Policy Making*, IBEI Working Paper (Institute Barcelona d'Estudis Internacionals, 2006).

<sup>84</sup> Maria Rublee, *Nonproliferation Norms: Why States Choose Nuclear Restraint* (Athens, GA: University of Georgia Press, 2009).

<sup>85</sup> *Ibid.*, 16–28.

the international social environment, providing the necessary but not sufficient cause for global nuclear forbearance.<sup>86</sup>

A different study by Jacques Hymans, drawing partially on constructivist insights to investigate other cases of nuclear restraint, emphasizes the importance of domestic ideational factors, in particular national identity and emotions of the decision-makers.<sup>87</sup> Hymans argues that particular types of national identity result in certain patterns of nuclear policy.<sup>88</sup> He develops National Identity Conception (NIC), which is defined as deeply engrained stable beliefs in the mind of individual political leaders about “what the nation naturally stands for.”<sup>89</sup> He argues that leaders with identity type he terms “oppositional nationalist” are most likely to develop a positive attitude towards the acquisition of nuclear weapons: for them “the choice for nuclear weapons is neither a close call nor a possible last resort but an absolute necessity.”<sup>90</sup> Hymans does not find the NPT particularly important in the nuclear decision-making in his four cases, France, India, Argentina and Australia. He attributes decisions of nuclear restraint in Argentina and Australia to the state leaders, who in their “hearts” did not desire the things the NPT prohibits.<sup>91</sup>

Thus Rublee and Hymans arrive at diametrically opposite conclusions about the importance of the NPT in decisions of nuclear acquisition and restraint. It may well be that since Hyman’s and Rublee’s cases do not overlap and transpire at different historical time, the NPT had little significance in the former but greater significance in the latter. Yet it seems the divergence is due to deeper differences in conceptual points of departure of the two studies. Indeed, the approaches of Hymans and Rublee, in their respective national and international biases, echo the systemic-domestic divide of rationalist theories and run into similar problems.

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<sup>86</sup> Ibid., 201–2, 208.

<sup>87</sup> Jacques E. C. Hymans, *The Psychology of Nuclear Proliferation: Identity, Emotions, and Foreign Policy* (Cambridge: Cambridge University Press, 2006).

<sup>88</sup> Ibid.

<sup>89</sup> Ibid., 13.

<sup>90</sup> Ibid., 23.

<sup>91</sup> Ibid., 7.

Hymans starts with domestic-level ideational factors and stays there. There is some resemblance between Hymans's approach and one strand of constructivist literature that goes under the label of strategic culture and privileges the historically constructed and deeply sedimented domestic-level beliefs, attitudes and behavior patterns in explaining state policies.<sup>92</sup> Alistair Johnston defines strategic culture as "an integrated system of symbols (i.e., argumentative structures, languages, analogies, metaphors, etc.) that acts to establish pervasive and long-lasting grand strategic preferences" and claims to demonstrate its impact on state's strategic behavior.<sup>93</sup> Thus, the social interaction that interests strategic culture scholars is almost exclusively domestic and traces patterns of this interaction over the *longue durée*.

Yet even though Hymans deals with national identity, a major area of interest for strategic culture constructivists, he hardly speaks to any of this literature or engages any epistemology pertaining to social constructs like identity. Indeed, his conceptual and methodological treatment of national identity is entirely rationalist. Operationalized as NIC, Hymans's national identity is reified as an independent variable that resides inside individual brains – or hearts – of political leaders.<sup>94</sup> This is a reified conception of national identity that runs into the same problems as the pre-given preferences and interests of rationalist scholarship. Constructivists, emphasize the intersubjective character of national identity narratives, and their ontology as an ongoing process of negotiation of difference and similarity with important others and the relation of the nation to the wider world. An acknowledgement of the relational and intersubjective nature of national identities might have shed more light on how these national

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<sup>92</sup> Alastair Johnston, *Cultural Realism: Strategic Culture and Grand Strategy in Chinese History* (Princeton, NJ: Princeton University Press, 1995); Thomas Berger, *Cultures of Antimilitarism: National Security in Germany and Japan* (Baltimore, MD: John Hopkins University Press, 1998); Colin Gray, "Strategic Culture as Context: The First Generation of Theory Strikes Back," *Review of International Studies* 25, no. 1 (1999): 49–69; Edward Lock, "Refining Strategic Culture: Return of the Second Generation," *Review of International Studies* 36, no. 3 (2010): 685–708.

<sup>93</sup> Johnston, *Cultural Realism: Strategic Culture and Grand Strategy in Chinese History*, 38.

<sup>94</sup> Hymans, *The Psychology of Nuclear Proliferation*, 13.

identities and nuclear decisions relate to the international normative environment, and the NPT in particular.<sup>95</sup>

Rublee, on the other hand, starts with the international level, which is the locus of the nonproliferation norm, and then looks at how the norm is transmitted down to state level through the three mechanisms she outlines. She generally recognizes that social interaction is key to understanding how international norms work and how they change initial domestic-level preferences. Rublee claims that to understand norms “we must look at both the actor’s norm processing and the social environment in which the actor is embedded.”<sup>96</sup> Yet the social environment in which she envisions actors processing norms is almost exclusively international and disregards that those self-same actors might simultaneously be embedded in a domestic political and social context. The nonproliferation norm works either through a top-down (or outside-in) persuasion or by relating to important actors in the international system. At the same time, Rublee’s case studies seem to point that much of the decision-making on nuclear restraint involved economic, security and identity considerations negotiated domestically. Indeed, international norms scholars have come under criticism from within the constructivist camp for unduly privileging international-level ideational factors, a bias that hampers their ability to explain why norms resonate differently across different political contexts.<sup>97</sup> Ted Hopf, for instance, has argued that it is the domestic sphere that is the locus of international norm interpretation, since the most direct and sustained political and social interaction takes place precisely there.<sup>98</sup>

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<sup>95</sup> William Potter and Gaukhar Mukhatzhanova make a similar point in William C Potter and Gaukhar Mukhatzhanova, “Divining Nuclear Intentions: A Review Essay,” *International Security* 33, no. 1 (July 2008): 139–169. A much more nuanced treatment of national identity in nuclear decision-making is offered in Gabrielle Hecht and Michel Callon, *The Radiance of France: Nuclear Power and National Identity After World War II* (MIT Press, 2009). This work, however, is not considered here since France’s nuclear acquisition took place before the NPT was concluded.

<sup>96</sup> Rublee, *Nonproliferation Norms: Why States Choose Nuclear Restraint*, 40.

<sup>97</sup> Jeffrey W Legro, “Which Norms Matter? Revisiting the Failure of Internationalism,” *International Organization* 51, no. 01 (1997): 31–63.

<sup>98</sup> Ted Hopf, *Reconstructing the Cold War, The Early Years, 1945-1958* (New York: Oxford University Press, 2012), 16–23.

The discussion above begs a question: does nuclear decision-making have to be located in *either* domestic *or* international area, or can it be *both*? Can state leaders negotiate the meaning of the international nonproliferation norm in isolation from domestic considerations and ideas about what nuclear possession or renunciation may mean for the nation, which may or may not resonate with the NPT? Conversely, is nuclear possession, in principal, the kind of issue that could be considered exclusively within the confines of a domestic political discourse, in the same way as a decision to modernize the national army or procure more automatic weapons for it? The answer to both seems to be, no. Indeed, a shared understanding that nuclear possession cannot be left solely to the purview of national security policy was implicated in the emergence of the nonproliferation norm and its formalization in the NPT in the first place. The negotiation of the meanings of nuclear possession cannot be relegated to either the domestic or the international realm exclusively, but inherently involve the kind of sphere of social interaction that straddles the domestic-international divide.

## **Research Question and Method**

The question this dissertation undertakes to investigate is: *How does the international nonproliferation norm interact with domestic political sphere to bring about nuclear restraint?*

This is ultimately an empirical question and I embark on investigating it through a interpretive comparative case study of nuclear renunciation and NPT accession of Belarus, Kazakhstan and Ukraine in 1990-1994. The aim of an interpretive case study is not theory-building, but discovery of patterns and correlations between social phenomena. According to P.E. Stake, the work on the interpretive case study “is observational, but more critically, it is *reflective*... The researcher digs into the meanings relating them to contexts and experiences...”<sup>99</sup> In doing so this interpretative case study relies on two main methods: historical *reconstruction* and *interpretation*.

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<sup>99</sup> P E Stake, “Qualitative Case Study,” in *The SAGE Handbook of Qualitative Research*, ed. Norman K Denzin and Yvonna S Lincoln (Thousand Oaks, CA: SAGE Publications, Incorporated, 2011), 436 emphasis in the original.

Historical reconstruction is a combination of constructivist process tracing that focuses on causal and constitutive mechanisms<sup>100</sup> and discourse analysis that is attentive to the field of political interaction and contestation and seeks to uncover meanings generated by actors themselves.<sup>101</sup> In reconstructing the historical cases of norm adoption, it is essential to take notice of how actors interpret norms by situating them in broader narratives. Who and how weaves norms into what narratives forms the crux of historical reconstruction method. To quote Kratochwil once again:

We reconstruct a situation, view it from the perspective of the actor, and impute purposes and values based on evidence provided by the actor himself (although no necessarily limited to his own testimony). This, in turn, provides us with an intelligible account of the reason for acting. Furthermore, such imputations have nothing to do with some mysterious empathy or the private mind of the actor... communication is based on intersubjectively shared 'reasons.'<sup>102</sup>

The second method, interpretation, involves, first, contextualizing historical events reconstructed from data, divining their place and significance within broader historical and political narratives. Secondly, interpretation involves constantly going back to the conceptual framework and relating the empirics to the theoretical questions asked by the researcher. Yet even though interpretivist approach is ultimately inductive, data does not speak for itself and still stands in need of a general conceptual framework to guide empirical inquiry.

### **Conceptual Framework**

In this section, I conceptualize a range of mechanisms and processes pertaining to how international norms can be *expected* to interact with the domestic sphere. Indeed, to observe the existence of norms and state behavior consistent with it is insufficient to demonstrate that it is the norm that is doing the work. This is partly due to the paradoxical quality of norms to be

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<sup>100</sup> Nina Tannenwald, "Process Tracing and Security Studies," *Security Studies* 24, no. 2 (2015): 219–227.

<sup>101</sup> Norman Fairclough, *Discourse and Social Change* (Cambridge: Blackwell Publishing, 1992).

<sup>102</sup> Kratochwil, "How Do Norms Matter?," 66.

counterfactually valid: that is, no single or even multiple violations invalidate it.<sup>103</sup> Conversely, a smooth norm adoption does not necessarily mean that it is norm-driven.<sup>104</sup> Thus, it becomes important to conceptualize the various pathways through which norms may exert effects in international politics in order to be able to detect them empirically.

First, however, it is in order to reiterate what norms and regimes are for the purposes of this dissertation. Norms here are taken as *intersubjective expectations of proper behavior for a given identity*, with further three specifications.<sup>105</sup> First, a norm contains an ethical judgment or moral principle that has intrinsic value. One of the ways to get to this ethical and moral bedrock is to ask enough ‘why’ questions until one gets to the answer that is good in and of itself and needs no further justification. For the nonproliferation norm, the proscription on new nuclear possession is instrumental to the intrinsic goal of preventing the devastation of mankind, which most would agree is good in and of itself. Second, the norm translates this ethical judgment into a prescription for proper action or behavior with a distinct sense of ‘oughtness’ that connects the ethical judgment to the expectations of behavior.<sup>106</sup> Third, a norm, particularly when it is formalized, tends to be specified in terms of rights and obligations of actors with a given identity.<sup>107</sup> Regimes are international institutions that combine rules and decision-making procedures aimed at perpetuating the norms embedded in them.<sup>108</sup>

Since our norm in question is the nuclear nonproliferation norm, which is embedded in a formal international treaty, the NPT, successful norm adoption is defined here as formal accession of a state to the treaty, thereby becoming subject to rights and obligations prescribed by the norm.

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<sup>103</sup> Kratochwil and Ruggie, “International Organization: A State of the Art on an Art of the State,” 767–8.

<sup>104</sup> Andrew P Cortell and James W Davis Jr, “Understanding the Domestic Impact of International Norms: A Research Agenda,” *International Studies Review* 2, no. 1 (June 2000): 69–71.

<sup>105</sup> Jepperson, Wendt, and Katzenstein, “Norms, Identity, and Culture in National Security,” 54.

<sup>106</sup> Florini, “The Evolution of International Norms,” 364–5. This is in contrast to the understanding of norms as normal or widely pervasive patterns of behavior. Rublee introduces them as “descriptive norms” and links them to social conformity as a mechanism for norm adoption. While, I agree that the pervasive practice of norm compliance would contribute to reinforcing the norm, such understanding risks conflating the role of prescriptions contained in the norm with the patterns of state behavior that may not necessarily be norm-guided.

<sup>107</sup> Kratochwil and Ruggie, “International Organization: A State of the Art on an Art of the State,” 769.

<sup>108</sup> Krasner, *International Regimes*.

Thus, norm adoption is not tantamount to norm observance over time.<sup>109</sup> In the process of norm adoption I outline two types of actors: “norm promoters” which are actors that endeavor to get other actors to join the NPT; and “norm adopter,” which are actors that are in the position of considering whether to do so.

As discussed above, Rublee outlines three mechanisms of norm transmission: persuasion, social conformity and identification. Yet only one of these mechanisms – persuasion – has actors engaging in the kind of interaction that has directly to do with norms and their effect on underlying state preferences. Her other mechanisms, social conformity and identification, rely on fear of social costs and desire of social rewards, including the reward of pleasing an important ally or partner with accession to the NPT. While she seems to recognize this, she nevertheless maintains that these are important mechanisms because they lead to a change in behavior, that is, to nuclear forbearance.<sup>110</sup> Yet because these mechanisms cannot be attributed directly to the working of the nonproliferation norm, it is difficult to distinguish Rublee’s social rewards and costs from the “softer” version of neorealist conception of great power inducements, such as coercive diplomacy, threat of sanctions or abandonment by an ally. Instrumental or induced norm adoption is not insignificant, and it has been argued by constructivists that norms adopted for instrumental reasons can eventually become socialized into domestic preferences, which may help us understand why regimes endure.<sup>111</sup> This, however, is not a necessary outcome: Kratochwil, for instance, has argued that bribes and coercion taint norm adoption and may leave lasting distortions that affect the legitimacy of the norm.<sup>112</sup>

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<sup>109</sup> The process through which actors came to adopt the international norm may have bearing on how likely they are to abide by it. The investigation of such linkages, however, is beyond the scope of this project.

<sup>110</sup> Rublee, *Nonproliferation Norms: Why States Choose Nuclear Restraint*, 17, 46–7.

<sup>111</sup> Thomas Risse and Kathryn Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction,” in *The Power of Human Rights: International Norms and Domestic Change*, ed. Thomas Risse, Stephen Ropp, and Kathryn Sikkink (Cambridge: Cambridge University Press, 1999).

<sup>112</sup> Friedrich V. Kratochwil, *Rules, Norms, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs* (Cambridge: Cambridge University Press, 1989), 228–9.



Hymans's assertion that leaders with a certain national identity conception tend to naturally gravitate toward nuclear renunciation and do not desire the things NPT prohibits is akin to a different normative mechanism proposed by Jeffrey Checkel, namely, the cultural match. Checkel argues that the affinity of international norms to historically constructed domestic institutions has a positive effect on norm adoption and successful internalization.<sup>113</sup> Although Hyman's focuses exclusively on the domestic sphere, it is possible that in the case of cultural match, where predisposition to the nuclear nonproliferation norm already exists for other, domestic reasons, such as identity or related norms, accession to the NPT becomes a mere formality. Yet, again to keep the focus on the normative connection, it might be worth to narrow down Checkel's cultural match from the broad institutional domestic structures to domestic normative predispositions that directly relate to the issue governed by the international norm.

Persuasion and cultural match are all essentially regulative mechanisms, which constructivists identify as providing imperatives, prescriptions and proscription of action: "thou shall" or "thou shall not."<sup>114</sup> In what follows, I refine conceptually normative persuasion and cultural match to incorporate the critiques above, and suggest how they might obtain in the norm promotion/adoption context.

#### *Regulative mechanisms*

**Normative reasoning.** Under normative reasoning I mean an interactive process transpiring between norm promoter and norm adopter that involves argumentation with the goal to change preferences and beliefs of the adopter of norms in favor of the norm. Many constructivist scholars refer to this process as "persuasion" or "moral consciousness raising."<sup>115</sup> Yet

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<sup>113</sup> Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 87.

<sup>114</sup> Kratochwil, *Rules, Norms, and Decisions*, 25.

<sup>115</sup> Alastair Iain Johnston, "Treating International Institutions as Social Environments," *International Studies Quarterly* 45 (2001): 487–515; Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change,"

persuasion has become too broad a concept that can include processes that do not rest on a better argument or directly appeal to the merits of the norm, such as manipulative framing, or even the use of material levers to induce norm adoption.<sup>116</sup> Thus, normative reasoning is defined here more narrowly as an argumentative process that occurs during a negotiation on norm adoption that involves explicit reference to the ethical merits of the norm and aims at genuine conversion of a norm adopter to the normative understandings it entails. Thus, normative reasoning is a non-coercive method and should result in the adopter becoming convinced about the merits of the norm, thereby “owning” the decision to adopt a norm and likely to practice voluntary self-restraint and norm observance over time.

The relationship between the norm promoter, who propounds such normative reasoning, and the norm adopter can become significant in this situation: history of trustworthy relations, affinity of identities, and common frames of reference, such as shared ways of ascertaining truth claims, should all be conducive to successful norm promotion.<sup>117</sup> Arguably then, in the process of normative reasoning, the status, authority and credibility of the norm promoter, is of more significance than her power defined in terms of means of coercion. I anticipate, however, that a genuine form of normative reasoning might be quite difficult to obtain since negotiations between norm promoter and norm adopter may be plagued by power asymmetries and thus distorted.

**Normative match.** Under normative match I mean an affinity of the international norm to the already internalized sets of beliefs shared by a societal group, whether political elites or broader public. While normative reasoning ensues when the underlying beliefs of the norm adopter were initially inconsistent or agnostic in relation to the norm in question, normative match occurs when the ethical underpinnings of an international norm resonate with norm promoter because

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*International Organization* 52, no. 04 (1998): 887–917; Kathryn Sikkink, “Human Rights, Principled Issue-Networks, and Sovereignty in Latin America,” *International Organization* 47, no. 3 (1993): 411–441.

<sup>116</sup> For critique of constructivist notion of “persuasion” see Rodger A. Payne, “Persuasion, Frames and Norm Construction,” *European Journal of International Relations* 7, no. 1 (2001): 37–61.

<sup>117</sup> Johnston, “Treating International Institutions as Social Environments,” 497–8.

they are closely related to the domestic preferences already internalized. In this case, some domestic actors within a state that is faced with the decision to adopt the norm can emerge as norm promoters and engage in interaction with those domestic actors who may hold divergent beliefs. One of the most obvious examples are the norm entrepreneur states themselves, who were involved in creating and establishing the norm. Thus, it is little wonder that a nation like Ireland should join the NPT since it was at the forefront of championing the very ethical principle on which the nonproliferation norm is based.

The less tautological way in which a norm will resonate due to a normative match is if the potential adopter has an ethical predisposition toward it due to a related set of domestic norms and beliefs into which it had already been socialized or it had otherwise internalized. For instance, nuclear power plant disasters such as Chernobyl and Fukushima or adverse experience with nuclear test sites, such as in the Marshall Islands, Australia or Kazakhstan can give rise to the affinity with the norms on nuclear nonproliferation and disarmament. Another normative affinity is possible with norms against other weapons of mass destruction, such as biological and chemical: if the latter are deeply internalized by the state, this ethical predisposition could make it more receptive to the nuclear nonproliferation norm.

The role of the norm promoter in this situation is to reinforce, rather than change this moral predisposition of the norm adopter. We should expect that no argumentative process of normative reasoning between the external promoter and the norm adopter is necessary: the adopter already buys into what the norm stands for. Detecting this mechanism could be tricky, for it does not follow that if a norm is adopted without normative argumentation or contestation, it is the normative match that is doing the work. However, while there might be little communicative interaction between the international norm promoter and adopter, domestic political arenas are rarely so homogenous that no discussion at all about the prospects of joining a treaty or a regime would ensue. Thus we might observe the efforts of domestic norm

promoters in interpreting and relating the international norm to local normative contexts.<sup>118</sup> The evidence for the normative match should be sought mostly in domestic political discussions about norm adoption.

### *Constitutive mechanisms*

While regulative effects of norms have been well elaborated and theorized in constructivist literature, constitutive effects remain more obscure. Constructivist theorists have argued that beyond regulating, that is providing prescriptions for proper modes of behavior, norms constitute the very “rules of the game” in international politics, the same way a game of chess is constituted by its rules.<sup>119</sup> In other words, norms have a constitutive effect by specifying what counts as something, defining actors, providing categories and frames of reference that actors have to engage with whatever they might think of the norm’s regulative prescription.<sup>120</sup> As Kratochwil argues, to explain social action we not only need to understand the intentions and reasons of actors but also situate the action in the rule-governed context, where constitutive norms make action meaningful and intelligible.<sup>121</sup>

One of the ways that constructivist scholars have conceptualized the constitutive role of international norms is the process of socialization when norms travel the path from regulative to constitutive of domestic identity through habitualization and institutionalization.<sup>122</sup> This helps us little, however, when discussing norm adoption, before such internalization could take place. Although constitutive effects of norms remain notoriously difficult to define and detect

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<sup>118</sup> Amitav Acharya, “How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism,” *International Organization* 58, no. 02 (May 2004): 239–275.

<sup>119</sup> Kratochwil, *Rules, Norms, and Decisions*, 26.

<sup>120</sup> *Ibid.*, 27.

<sup>121</sup> *Ibid.*, 26.

<sup>122</sup> Risse and Sikkink, “The Socialization of International Human Rights Norms into Domestic Practices: Introduction,” 32–4.

empirically,<sup>123</sup> below I conceptualize some constitutive mechanisms that may obtain in the process of norm promotion/adoption.

**Delineation of normative space.** Norms, especially ones that are formalized in international regimes, delineate and guard a particular normative space. This seems somewhat tautological, but the existence and salience of such normative space becomes apparent when it is unclear which norm governs a particular development in world politics, that is, when different norms, which can potentially govern a new development, come into conflict. Is it a case of violation of territorial integrity or a case of national self-determination? Is it a case of foreign intervention or a case of protection of human rights? Much of the normative contestation may well be not about the ethical merit of a particular norm but about which norm applies.

Yet once the case is located within a particular normative space, whatever adopting actors might think of the norm and its prescription, whether they agree with it or not, whether they choose to adopt or defy it, they must engage with this normative space and deal with the particular sets of norms within it. That is, a state that decides to invade a neighboring country, or trade internationally, or explore the Antarctic must deal with the set of conventions and rules that govern this area of international activity, and if it chooses to defy these rules, it can hardly claim innocent ignorance, notwithstanding the various interpretations of the norms that may exist.

The scope and universality of the regime within that guards such normative space becomes important, as does the designation of the space outside of the regime. Do actors in this space constitute an *exception* that only proves the rule, or are they an *aberration* to the norm and are treated by the international community as such? States that have violated or withdrawn from the nonproliferation regime, such as North Korea, Iran, Iraq and Libya had been branded as

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<sup>123</sup> Thomas Risse, "Let's Argue!: Communicative Action in World Politics," *International organization* 54, no. 1 (2000): 5; Ruggie, "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge."

“pariah,” “rogue” or “outlaw.”<sup>124</sup> Yet the status of India, Pakistan and Israel with regard to the space they occupy outside of the NPT is more obscure. The international opprobrium of nuclear acquisition by these states and discussion about bringing them into the NPT nevertheless continue, alluding to the necessity of any state that wants to acquire or has acquired nuclear weapons to deal with the international nuclear nonproliferation regime and expect that its nuclear behavior will be judged against its norms. This leads to our next mechanism, the burden of proof.

**Allocation of the Burden of Proof.** As Kratochwil explains, salient and well established norms have a tendency to give rise to the feelings of obligation by social actors and levy the burden of justification for non-compliance or going with an alternative option.<sup>125</sup> The nuclear nonproliferation norm determines where the burden of justification is allocated: it is the proliferator who is deviant and must come up with justification, not the states that enforce it. Thus, the very presence of norm contestation in a domestic or international context can be the evidence of its salience.<sup>126</sup> That is, when going against a particularly salient norm, actors feel the need and have the obligation to justify and explain the necessity of such course of action precisely because there is an “expected” course of action dictated by the norm in question.

**Normative grammar.** Treaties and regimes through the norms they contain construct categories, definitions, standards and terminology that order and discipline domestic discourses, open certain options and foreclose others. Categories of nuclear possession are one such example. The NPT sets out two main categories of states: nuclear-weapons states and non-nuclear-weapons states. The 185 non-nuclear weapons states that are party to the NPT differ greatly in their nuclear capacities: some have no nuclear industry whatsoever, some not only have nuclear industry and export nuclear-sensitive technology but are capable of easily

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<sup>124</sup> For an interesting discussion about the emergence of the “rogue” category in the US political discourse see Robert Litwak, *Rogue States and U.S. Foreign Policy: Containment After the Cold War* (Washington, DC: Woodrow Wilson Center Press, 2000).

<sup>125</sup> Kratochwil, *Rules, Norms, and Decisions*.

<sup>126</sup> Cortell and Davis Jr, “Understanding the Domestic Impact of International Norms: A Research Agenda,” 69.

developing nuclear weapons, even maintain a “nuclear hedge,” some are members of a nuclear-armed alliance and enjoy the protection of an extended nuclear deterrent, some host nuclear weapons on their soil. Yet there is nothing in the treaty to accommodate this diversity of nuclear capability: there only the nuclear weapons haves and the nuclear weapons have-nots. The same formal status is awarded under the treaty to Canada and Sweden as to Tajikistan and Albania.

Furthermore, through their normative grammar, international norms reify actors and their hierarchies and define who is entitled to speak on behalf of the norm. For instance, the depository states of the NPT, the US, UK and USSR/Russia, have a formalized privileged position as guardians of the regime and speakers on its behalf. In more general terms, the very participation in international treaties and regimes and a prerogative to reject them is constitutive of a state’s identity as a sovereign.

**Legitimation of enforcement.** For the promoter of norms, normative legitimation becomes important when s/he is faced with inducing adoption of the norm with coercive means. The US in particular has been known to induce states, adversaries and allies alike, to relinquish nuclear ambitions and join the NPT by mounting material pressure that may include bribing the adopter with economic and political rewards or threatening them with economic, political or even military sanctions.<sup>127</sup>

In the case of enforced accession to the NPT, it is not the ethical content of the norm or the power of the promoter’s argument, but the capacity of norm promoters to issue inducements, as well as the adopter’s propensity to bear the costs or be seduced by the rewards, that is largely responsible for the eventual nuclear renunciation. This sounds a lot like the realist story of nuclear nonproliferation, but with this important qualification: both the promoter and the adopter share an understanding that the actions of the promoter are underpinned by an international norm, which is not reducible to promoter’s particularistic interests.

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<sup>127</sup> Gavin, “Strategies of Inhibition: U.S. Grand Strategy, the Nuclear Revolution, and Nonproliferation.”

Realist's great power inducement and constructivist normative legitimization of coercive action differ in two important respects. One, as observed by Joseph Nye, for any given state nonproliferation is not the foreign policy; it is part of a foreign policy, and may come in conflict with other competing foreign policy priorities and national interests.<sup>128</sup> Thus, when driven by competing interests, a states that undertakes and is expected to undertake the role of norm promoter, opts not to enforce or promote it, the validity and the salience of shared ethical understandings that underpin it do not dissipate. Only sustained and unpunished violations of its prescriptions will eventually erode its validity.<sup>129</sup>

The other distinction is the recognition that not all coercive action is created, or rather understood as equal. It is a feature of the post-WWII international order that the use of force and coercion has faded as an acceptable tool of international politics, unless it is justified by an agreed international principle and procedure. This is not to say that states stopped using coercive power but simply to say that they are *expected* not to wield it arbitrarily, injudiciously, capriciously and the international community developed institutions and norms that restrain the exercise of arbitrary coercion not only by smaller states, but also by the great powers.<sup>130</sup> Thus, as Richard Ned Lebow has argued, whether enforcement is treated as a legitimate application of power or simply as arbitrary coercion or bribery depends on the legitimacy of the ends pursued and the extend to which these ends are embedded in commonly shared normative structures.<sup>131</sup> In a sense, there is an informal norm of appeal to norms in the international political realm.

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<sup>128</sup> Nye, "Maintaining a Nonproliferation Regime," 31; also see Jeffrey W. Knopf, "Dilemmas in Enforcement of Nonproliferation and Disarmament Norms" (paper presented at the Workshop on Nuclear Norms, Monterey Institute of International Studies, Monterey, CA, 2014).

<sup>129</sup> Kratochwil and Ruggie, "International Organization: A State of the Art on an Art of the State," 767–8.

<sup>130</sup> G. John Ikenberry, *After Victory* (Princeton, NJ: Princeton University Press, 2000).

<sup>131</sup> Richard Ned Lebow, "Power, Persuasion and Justice," *Millennium - Journal of International Studies* 33, no. 3 (2005): 551–3; also see Christian Reus-Smith, *American Power and World Order* (London: Polity, 2004).



States can and do use coercion; they also can and do use normative justifications as strategic rhetorical frames to cover up ulterior motives and aims.<sup>132</sup> Yet the very fact that they are compelled to do so already suggests the importance of the legitimating function of norms. Their audiences and interlocutors, whether domestic or international, are not dupes either. As Joseph Nye puts it: “Even in the instrumental sense, poor moral reasoning fails to move the minds and consciences of fellow citizens.”<sup>133</sup> When such manipulation is suspected or detected, it normally first hurts the credibility of the speaker, not the validity of the norm (just think of the US invasion of Iraq). However, just as the sustained violation of a norm will erode its validity, a sustained misuse of the norm will hurt its legitimacy and legitimating capacity.

### Case Selection

Armed with the normative mechanisms outlined above, this dissertation undertakes to explore the workings of the nonproliferation norm in three closely related cases of nuclear renunciation and NPT accession, those of Belarus, Kazakhstan and Ukraine. Belarus, Kazakhstan and Ukraine inherited formidable strategic nuclear arsenals as a result of the collapse of a nuclear superpower, the USSR, and the *de jure* change of political authority over the territory on which the Soviet nuclear armaments were situated. These cases are particularly suited for the investigation of how international norms work because the simultaneous timing and identical circumstances of their “nuclear birth” allow to control for contextual and historical contingencies that usually complicate comparative study of nuclear decision-making.

Belarus, Kazakhstan and Ukraine did not seek nuclear weapons prior to their appearance as independent states three new states. All three former Soviet republics found themselves having to negotiate the meaning of their new inheritance at the same time as they were negotiating the

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<sup>132</sup> Frank Schimmelfennig, “The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union,” *International Organization* 55, no. 1 (2001): 47–80; Ronald R. Krebs and Patrick Taddeus Jackson, “Twisting Tongues and Twisting Arms: The Power of Political Rhetoric,” *European Journal of International Relations* 13, no. 1, (2007): 35–66.

<sup>133</sup> Joseph Nye, *Nuclear Ethics* (New York: The Free Press, 1986), 5.

meaning of their newly found sovereign statehood in the international system. All three of them shared similar domestic institutional arrangements inherited from the Soviet Union and faced similar political, economic and social challenges in the context of post-Soviet transition. All three former Soviet republics were met with the uniform expectation on behalf of the US, Russia and much of the international community to denuclearize and join the NPT as NNWSs.

Yet Belarus, Kazakhstan and Ukraine proceeded to negotiate the meanings of their nuclear inheritance in different ways and followed divergent paths toward the NPT. In Ukraine, to a much greater extent than in the other two cases, the fate of this nuclear inheritance became a matter of intense contestation domestically and internationally. Contestations rustle up presuppositions that otherwise would remain silent. This makes Ukraine a more difficult but also the most interesting case for the study of the nonproliferation norm. Political contestations offer a treasure trove for researchers: it is during such contestations that the actors are forced to reveal their reason, argue positions and substantiate their motives. Thus, in this dissertation Ukraine becomes the key case to which the paths of Belarus and Kazakhstan are compared and juxtaposed.

**Data and Sources.** In reconstructing and interpreting the cases of nuclear renunciation of Belarus, Kazakhstan and Ukraine, I have endeavored to rely as much as possible on primary source materials. To this end, I have conducted extensive original fieldwork in the archives of Belarus, Kazakhstan and Ukraine, including at the National Archive of Belarus in Minsk (May-June 2014), Presidential Archive of Kazakhstan in Almaty (August 2013), Central State Archive of Ukraine and Archive of the Ministry of Foreign Affairs of Ukraine in Kyiv (Spring and Summer 2013).

In addition, I have made use of electronic data bases, containing primary sources, such as transcripts of the sessions of the parliament of Ukraine, the online database of CIS documentation, as well as declassified US archival documents available online from Freedom of

Information Act website, Woodrow Wilson Center Nuclear Proliferation International History Project and the National Security Archive at George Washington University. Memoirs of political leaders directly involved in the processes of denuclearization of the post-Soviet successor, such as Leonid Kravchuk, Anatoliy Zlenko, Nursultan Nazarbayev, Stanislau Shushkevich, Yevgeniy Shaposhnikov, James Baker III, Thomas Graham Jr. and Strobe Talbott, also served as excellent sources of data.

The secondary source of data were the older existing accounts of the three cases, most of which written in mid-1990s and which relied on fresh interviews with the direct participants of the process. These I mined for interview data more than for authors' own analysis. I have also made use of Foreign Broadcast Information Service (FBIS) news digests that offer English language translations of Belarusian, Kazakhstani and Ukrainian media reports. Finally, I have conducted a small number of personal and email interviews with direct participants of the denuclearization process, including Ivan Drach, Boris Tarasiuk, Steven Pifer, Jon Gunderson and Thomas Graham.<sup>134</sup>

A researcher of nuclear decision-making quickly runs into two challenges. One is the inherent secrecy surrounding all things nuclear that affects the scope and fullness of data available. The documentation contained in the archives of the defense ministries of Ukraine, Belarus and Kazakhstan were simply not available to me. Because of the fragmentary and somewhat sporadic nature of archival holdings in the former Soviet Union, there is no way of knowing which documents might be unavailable or still classified; they may simply not be listed in the catalogues. Moreover, archives differ significantly across countries in their structure and content, making a fully comparable reconstruction of cases difficult.

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<sup>134</sup> All translations from Ukrainian, Belarusian and Russian are by the author of this dissertation unless otherwise noted.

Another challenge is the continued sensitivity of the nuclear issue in political discourses where it continues to have a contemporary bearing. This is particularly true for Ukraine, which not only lived through a nuclear controversy at the time it denuclearized in the early 1990s, but where nuclear renunciation remains a politically sensitive subject, more so after the breach by the Russian Federation of the security assurances extended to it in connection with its accession to the NPT. Post-factum justification of past political decisions tended to tint much of interview data with Ukrainian politicians, making them a particularly tricky source for case reconstruction. Despite these challenges, I aim to present a broadly contextualized inductive actor-driven account of what was involved in the nuclear decision making in Belarus, Kazakhstan and Ukraine, while teasing out the role the NPT played in each. I do not set out to test whether the NPT and its norms “caused” these states to denuclearize. My task is rather to trace what, if any, role did the nonproliferation norm and the NPT play in what looks like a complex set of negotiations and interactions at the cusp of domestic politics and the international realm.

## Chapter Two. Soviet Nuclear Disintegration: Succession or Proliferation?

“...In August 1991... after a long and protracted illness caused by birth defects, the Soviet Union passed away. Its death certificate was signed in Viskuli.”

Pyotr Kravchanka, Minister of Foreign Affairs of Belarus, 1990-1994.<sup>135</sup>

“As fate would have it, I found myself in the epicenter of a difficult and protracted struggle to maintain a common military-strategic space that emerged over many centuries, and to transform, in accordance with the new political realities, the Armed Forces. In this struggle, the most important thing for me has been to reverse the development of public-political processes from disintegration to integration, from alienation to cooperation, and to create a new system of military security the motto of which would be accord, equality and cooperation.”

Yevgeniy Shaposhnikov, last Minister of Defense of the USSR (August-December 1991) and Commander-in-Chief of the CIS Joint Armed Forces (1992-1993).<sup>136</sup>

“The process of arms reduction may prove to be more dangerous than the arms buildup ever was. Like Rasputin’s ghost, the specter of Soviet nuclear forces remains distressingly present long after it was supposed to be gone.”

Donald P. Steury, CIA History Staff<sup>137</sup>

### Soviet Strategic Nuclear Forces

The disintegration of the Soviet Union during the fall of 1991 presented the world with an unprecedented nuclear proliferation challenge: the demise of a nuclear superpower left its formidable nuclear arsenal scattered across a vast Eurasian landmass now under the sovereign power of four new states: the Russian Federation, Belarus, Ukraine, and Kazakhstan. Before and since, nuclear possessors appeared on world stage after proactively pursuing elaborate, expensive and highly secretive nuclear weapons programs, preceded by political deliberations of reasons and purposes of nuclear acquisition. Post-Soviet proliferation, however, transpired in a reverse

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<sup>135</sup> Petr Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]* (Moscow: Vremia, 2006), 143. Viskuli is the name of the government hunting lodge in the Belavezha Forest in western Belarus where, on December 8, 1991, leaders of Belarus, Russia and Ukraine signed the agreement declaring the USSR defunct.

<sup>136</sup> Yevgeniy Shaposhnikov, *Vybor. Zapiski Glavokomandiruyushchego* (Moscow: Independent Publishing House “PIK,” 1993), Foreword.

<sup>137</sup> Donald P. Steury, *Intentions and Capabilities: Estimates on Soviet Strategic Forces, 1950-1983* (Washington, DC: Center for the Study of Intelligence, Central Intelligence Agency, 1996), 504.

sequence: weapons came first, then appeared new sovereign states, then came the deliberations by these new states of the meaning and purpose of their unusual inheritance.

What the former Soviet republics came to inherit were the shards of world's largest nuclear arms complex developed over five decades of superpower arms race. The nuclear rivalry between the USSR and the US that was at the very heart the Cold War began on July 24, 1945 when US President Harry Truman at the peace conference in Potsdam, Germany, informed Soviet leader Josef Stalin that the US had developed "a new weapon of unusual destructive force."<sup>138</sup> While Stalin reportedly received the news with a poker face, the nuclear bombing of Japanese cities of Hiroshima and Nagasaki by the US on August 6 and 9 sealed the Soviet resolve to obtain nuclear capability of its own, lest the American monopoly on the revolutionary new weapon should snatch the hard-won victory over Nazi Germany and its political spoils from the Soviet hands.<sup>139</sup> By 1986, the two superpowers would amass a staggering 64,000 nuclear weapons, with Soviet Union accounting for over 40,000 of those, with the combined yield of hundreds of thousands of Hiroshimas.<sup>140</sup>

The US-Soviet nuclear arms race story was as much about the development of ever more potent and destructive nuclear and thermonuclear bombs, as it was about the means of their delivery across enormous distances that separated the two main rivals. The US and the USSR developed three main delivery platforms: long-range strategic bomber force equipped with nuclear gravity bombs and, eventually, air-launched cruise missiles (ALCMs); submarine force armed with sea-launched ballistic missiles (SLBMs); and ground-launched ballistic missiles force that included both intercontinental ballistic missiles (ICBMs) and intermediate range ballistic missiles (IRBMs). Whereas in the US the three delivery platforms evolved to play an equally important role in the overall nuclear force, in the Soviet Union, the bomber and submarine force never approximated

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<sup>138</sup> Cited in David Holloway, *Stalin and the Bomb: The Soviet Union and Atomic Energy 1939-1956* (New Haven: Yale University Press, 1994), 117.

<sup>139</sup> Ibid., 117, 127.

<sup>140</sup> Hans M. Kristensen and Robert S. Norris, "Global Nuclear Weapons Inventories, 1945-2013," *Bulletin of the Atomic Scientists* 69, no. 5 (2013): 78.

the prominence of the land-based missiles. Thus, the Soviet Strategic Rocket Forces (SRF), established in December 1959 to command all land-based missiles with a range of 1000 km and more, became the core of the Soviet nuclear might, and therefore the core of the Soviet status as a superpower.

At the height of its build up in mid-1980s, the Soviet nuclear force comprised of over 2,500 strategic nuclear launchers, armed with over 10,000 nuclear warheads, including some 1,400 ICBMs armed with over 6,000 high-yield nuclear warheads.<sup>141</sup> The ICBMs were deployed in 17 locations, stretching in an arc from central Ukraine through Kazakhstan, along the railway connections to ease the transportation of heavy missiles in and out of bases.<sup>142</sup> Most of these missiles were placed in hardened in-ground launch silos to decrease their detection and increase survivability in case of attack. By mid-1980s, the Soviet Union also designed a number of mobile missiles that were placed on special railroad cars or tank- or truck-like platforms, and deployed in Russia and Belarus. In addition to ICBMs, the SRF operated intermediate-range ballistic missiles (IRBMs) divisions targeting Western Europe that were concentrated in western parts of the USSR, in Ukraine, Belarus and the Baltic republics.<sup>143</sup> These forces, however, had been decommissioned after the signature in 1987 of the Intermediate Nuclear Forces (INF) treaty, in accordance with which the US and the USSR agreed to dismantle ballistic and cruise missiles with a range between 500 and 5,500 km to diffuse tensions in Europe. In addition, a large number of the low-yield short-range “tactical” nuclear weapons, including artillery shells, mines, and gravity bombs.<sup>144</sup> Since the Soviet military doctrine planned for the use of tactical nuclear weapons in the battle theater in case of a large continental war with NATO, these weapons were

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<sup>141</sup> “Table of USSR/Russian Strategic Offensive Force Loadings (1956-2002),” *Natural Resources Defense Council*, <http://www.nrdc.org/nuclear/nudb/datab2.asp>. A single ICBM could carry up to 10 warheads, so called multiple independently targetable reentry vehicles (MIRVs).

<sup>142</sup> Steven J. Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000* (Washington, DC: Smithsonian Institution Press, 2002), 118–9.

<sup>143</sup> *Ibid.*, 146.

<sup>144</sup> Today, ‘tactical’ nuclear weapons are more often referred to as ‘battlefield’ or ‘theater’ nuclear weapons, as it is understood that even the use of a ‘tactical’ nuclear weapon would have ‘strategic’ consequences. I agree with this argument, however, throughout this dissertation I will continue to refer to ‘tactical’ nuclear weapons, since it was the taxonomy used at the time by the political actors, with which this dissertation is concerned.

deployed particularly heavily in western republics such as Ukraine, Belarus and the Baltic republics.

The Soviet ICBMs included missiles propelled by both liquid and solid fuel. The solid-fueled ICBMs were safer to handle but also heavier and could propel a limited payload. The liquid-fueled missiles were fueled by nitric acid oxidizer and heptyl, both of which were extremely toxic substances. The early liquid-fueled missiles could stay fueled only for a few days before the toxic fuel would corrode the fuel tank and piping, which made them more dangerous and more expensive to maintain.<sup>145</sup> The ICBMs had a warranted life span of about seven to ten years, during which the manufacturing plant was responsible for supplying parts and maintaining the missile and its components, and after which the missile had to be taken back to the manufacturer for dismantlement.<sup>146</sup>

The Soviet strategic command and control was highly centralized and consisted of several interconnected communication systems connecting top decision-makers with troops in the field, integrated with automated systems that provided both positive and negative control over strategic forces. An early warning system connected a network of satellites and radars, designed to detect an incoming attack, to military command which could then proceed to authorizing a response.<sup>147</sup> The system for authorizing a nuclear strike, code-named *Cheget*, consisted of three “nuclear briefcases,” allegedly black Samsonite cases modified for the purpose, that were placed with the General Secretary of the Communist Party of the USSR, the Minister of Defense and the Chief of General Staff.<sup>148</sup> *Cheget* connected the leaders to a wider communication network named *Kavkaz* through which their orders would be translated into launch commands sent to

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<sup>145</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 104.

<sup>146</sup> Ibid., 94.

<sup>147</sup> David E. Hoffman, *The Dead Hand. The Untold Story of the Cold War Arms Race and Its Dangerous Legacy* (New York: Anchor Books, 2009), 151.

<sup>148</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 163; “‘Nuclear Briefcase’ Designer Interviewed,” *Komsomolskaya Pravda in FBIS-SOV-92-019*, January 28, 1992. Cheget is the name of a mountain in the Caucasus mountain range.



missiles.<sup>149</sup> A set of negative controls included electronic locks, known as permissive action links (PALs), on warheads to prevent their unauthorized arming or launch. There were also systems to prevent attempts to bypass these locks and to issue alerts about any attempts to do so.<sup>150</sup>

The cost of building up and maintaining USSR's huge military-industrial complex of which strategic forces were a core part, as well as the inefficiencies that plagued it, put a disproportionate strain on the Soviet economy. By 1980s this strain was exacerbated due to the decline in the prices of oil, main Soviet hard currency export and an important source of funding for its arms buildup.<sup>151</sup> By the time of Mikhail Gorbachev's ascended to the top leadership role in the USSR in 1985, the Soviet military expenditures was a huge drain on Soviet economy, estimated at some 30% of the Soviet GDP.<sup>152</sup>

Gorbachev's attempt to redefine and reinvigorate the Soviet Union and its economy entailed winding down the extravagant defense spending and redirecting the money to the ailing civilian economy.<sup>153</sup> Unlike for his predecessors, WWII had not been a defining experience for Gorbachev, nor did he have any previous exposure to the Soviet defense sector, whose power he distrusted. The accident at the Chernobyl nuclear power plant in April 1986, and the loss of a Soviet submarine loaded with nuclear missiles due to a leaky fuel tank off the coast of Bermuda in October of that year further undermined the confidence of Gorbachev and his team in the abilities of Soviet technologies.<sup>154</sup> The confluence of these economic and political reasons

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<sup>149</sup> Hoffman, *The Dead Hand. The Untold Story of the Cold War Arms Race and Its Dangerous Legacy*, 149.

<sup>150</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 124. The Soviet strategic command and control system was much more complex. This paragraph provides only its general outline.

<sup>151</sup> Stephen Kotkin, *Armageddon Averted: The Soviet Collapse 1970-2000* (Oxford: Oxford University Press, 2001), 16–17; Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 205.

<sup>152</sup> Kotkin, *Armageddon Averted: The Soviet Collapse 1970-2000*, 61; Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 213. It seems, however, that to date, there is no precise account of the actual scope of the Soviet defense burden.

<sup>153</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 204.

<sup>154</sup> *Ibid.*, 206–9.

helped ensure that strategic arms control would become the central element of Gorbachev's defense agenda.<sup>155</sup>

The US-Soviet arms control initiatives started still in early 1970s with the conclusion of Strategic Arms Limitation Treaties, SALT I and II signed in 1972 and 1978 respectively, and aimed at halting the arms race by stipulating the upper limit for the number of delivery vehicles: bombers, submarines and ICBMs for each superpower. In 1972, the US and USSR also signed the Anti-Ballistic Missile (ABM) Treaty, the goal of which was the limitation of the anti-ballistic missile defenses, some of them armed with nuclear weapons, guided by the belief that they had a destabilizing effect on nuclear deterrence by making a preemptive strike the most attractive option. Finally, in June 1982, the US and USSR opened negotiations on deep reductions in nuclear arms, yielding the Treaty on the Reduction and Limitation of Strategic Offensive Arms that became known as START.<sup>156</sup> After nine years of arduous negotiations, START was finally signed on July 31, 1991 in Moscow by US President George H.W. Bush and Soviet President Gorbachev. The treaty provided for 30-40% reduction in strategic nuclear armaments of both superpowers that, when implemented, would yield no more than 1,600 strategic delivery vehicles and 6,000 warheads to arm these delivery vehicles on each side.<sup>157</sup>

Meanwhile, arms reductions and the unavoidable decrease of the defense spending had further adverse effects on the Soviet economy since, in many instances, entire Soviet cities depended for their welfare and employment on the large defense conglomerates. Furthermore, the end of the Cold War and the withdrawal of Soviet troops from the Warsaw Pact countries also cost money, and created severe social problems of coping with thousands of decommissioned Soviet troops.<sup>158</sup> The retarded civilian economy was unable to absorb either the defense industry workforce or the military personnel that suddenly found themselves idle. The winding down of

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<sup>155</sup> Ibid.; Pavel Podvig, *Russian Strategic Nuclear Forces* (Cambridge, MA: MIT Press, 2001), 20–21.

<sup>156</sup> After the initialing of the follow-up START-II treaty in 1992, the first one became known as START-I. Since this dissertation concerns only the first treaty, I will refer to it simply as START.

<sup>157</sup> Podvig, *Russian Strategic Nuclear Forces*, 21.

<sup>158</sup> Kotkin, *Armageddon Averted: The Soviet Collapse 1970-2000*, 66.

military spending, disarmament initiatives and the retreat from the Warsaw Pact encountered staunch opposition of the military high command and defense sector bosses who interpreted this as humiliation and surrender of all hard-won gains of the WWII.<sup>159</sup> Thus, Gorbachev's defense policies served to alienate the '*siloviki*' (the 'strongmen,' i.e. military and defense chiefs), who in August 1991 would stage a *coup d'état* against him, inadvertently precipitating the collapse of the very Soviet state they tried to salvage.

In addition to the mounting socio-economic problems of the late 1980s, the Soviet Union was being torn apart by centrifugal forces in the constituent republics. Gorbachev's policies of restructuring and liberalization, *perestroika* and *glasnost*, were meant to give the Union a renewed lease on life. As the fear of political persecution lifted, civil society sprouted into new cultural and religious groups, as well as political movements that rallied for civic freedoms, political pluralism and democratization. Yet in many constituent Soviet republics the yearning for greater democratization was intertwined with movements for national self-determination and political independence from Moscow. The Baltic republics were in the vanguard of this movement toward full political independence. In November 1988, Estonia became the first Soviet republic to declare sovereignty, quickly followed by Latvia and Lithuania, thus setting off what became known as the 'parade of sovereignties.'<sup>160</sup>

Moscow itself became the site of political struggles between Gorbachev-led Union 'Center' and the Russian Federation, led by Boris Yeltsin, a charismatic former construction worker and a self-proclaimed democrat from the city of Sverdlovsk in the northern Urals. On June 12, 1990, the legislature of the Russian Federation, chaired by Yeltsin, passed the Declaration of Sovereignty, proclaiming the supremacy of its laws over the Union laws and stating the resolve

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<sup>159</sup> Ibid., 89–90; Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 143.

<sup>160</sup> The order of declarations of sovereignty of the Union republics proceeded as follows: Estonia (November 16, 1988), Lithuania (May 26, 1989), Latvia (July 28, 1989), Azerbaijan (September 23, 1989), Georgia (May 26, 1990), Russia (June 12, 1990), Uzbekistan (June 20, 1990), Moldova (June 23, 1990), Ukraine (July 16, 1990), Belarus (July 27, 1990), Turkmenistan (August 22, 1990), Armenia (August 23, 1990), Tajikistan (August 24, 1990), Kazakhstan (October 25, 1990), Kyrgyzstan (December 15, 1990).

to transform Russia into a democratic state guided by the rule of law within a ‘renewed’ Soviet Union.<sup>161</sup> The Russian declaration was closely followed by similar declarations in Ukraine and Belarus, whereby the two republics, in addition to declaring sovereignty, stated their intentions to renounce nuclear weapons and become neutral states. As the two Slavic republics played an important role in Soviet strategic war planning and housed a large share of the Soviet nuclear arsenal, their nuclear renunciation would have important military-strategic consequences for the Union. In response to these moves, Gorbachev spearheaded the process of drafting the new Union treaty that provided for some devolution of powers to the republics but kept foreign policy and the military matters within the domain of the Center.

The efforts to negotiate and sign the new Union treaty continued until December 1991 when they were decisively foiled by the Belavezha Accord. On December 7-8, the leaders of the three Slavic republics, the original signatories of the 1922 treaty establishing the Soviet Union, Russian President Boris Yeltsin, Ukrainian President Leonid Kravchuk and the speaker of Belarusian Parliament Stanislau Shushkevich met at a government compound in the Belavezha Forest in western Belarus and signed an agreement proclaiming that the Soviet Union had ceased to exist “as a subject of international law and as a geopolitical reality.”<sup>162</sup> At the same meeting, they established the Commonwealth of Independent States (CIS), a loose association that would at the minimum manage the ‘civilized divorce’ of the Soviet republics and at a maximum serve as a new framework for integration within the former Soviet space.

By December 26, 1991, the Union of Soviet Socialist Republics ceased to exist both *de facto* and *de jure*. With the demise of the Soviet ‘Center,’ the staggering Soviet nuclear force and the

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<sup>161</sup> Verkhovnyi Sovet RSFSR, *Deklaratsiia O Gosudarstvennom Suverenitete Rossiiskoi Sovetskoi Federativnoi Sotsialisticheskoi Respubliki* [Declaration of State Sovereignty of the Russia Soviet Federative Socialist Republic], June 12, 1990, <http://constitution.garant.ru/act/base/10200087/>. Boris Yeltsin would be elected President of the Russian Federation on July 10, 1991.

<sup>162</sup> *Soglaseniie O Sozdanii Sodruzhestva Nezavisimikh Gosudarstv* [Agreement On Creation of the Commonwealth of Independent States], December 8, 1991, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=1>. The original signatories of the 1922 Union Treaty also included the Transcaucasian Federation that since became three separate republics: Georgia, Armenia and Azerbaijan. The Belavezha Accord was ratified by the Ukrainian and Belarusian parliaments on December 10 and by the Russian parliament on December 12, 1991.

industry that produced it, traditionally shrouded in high secrecy and with highly centralized command, suddenly found itself stationed on the territory of not one, but four newly independent states: Russia, Belarus, Kazakhstan and Ukraine. Whether this Soviet nuclear inheritance was an asset or a liability was not at all a forgone conclusion. These weapons were remnants of the Soviet Union's most prominent and perhaps only attribute of the superpower status, toward which all Soviet people contributed, knowingly or not. It was both the Soviet Union's greatest technological achievement and its most wasteful redundancy, which overexerted the Soviet economy and continued to levy heavy financial burdens for both its maintenance and its dismantlement.

### **Nuclear Inheritance of Soviet Successor States**

In 1991, the Soviet nuclear force comprised some 29,000 nuclear weapons, including almost 10,000 arming over 1,000 strategic delivery platforms, mostly ICBMs but also bombers and submarines.<sup>163</sup> The bulk of Soviet armaments was situated on the territory of the Russian Federation. All of the Soviet nuclear submarine force remained in Russian waters, however about 25% of the total ICBM force and almost 50% of strategic bomber force was now deployed on the territory of the other three, non-Russian republics.<sup>164</sup> Russia was also the only post-Soviet republic that had a full nuclear fuel cycle and warhead production on its territory.

Nevertheless, the amount of nuclear arms now situated on the territory of the non-Russian republics was still staggering and included a mix of tactical and strategic nuclear weapons and delivery systems. In addition, important elements of the Soviet nuclear-related industrial production, and research and development capability were now outside the Russian borders. The accounting of the nuclear weapons systems, if not of the precise number of warheads, was made easy by the exchange of information and system specifications provided in the

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<sup>163</sup> Kristensen and Norris, "Global Nuclear Weapons Inventories, 1945-2013."

<sup>164</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 215.

Memorandum of Understanding attached to START in July 1991 and subsequently released to the public in the US when the treaty was submitted to the US Congress in November 1991.<sup>165</sup> This way START not only became the basis for reductions but also provided much of the transparency for dealing with the nuclear arsenals of the former Soviet republics.

### *Ukraine*

Ukraine, a state the size of France, with the population of 52 million in 1991, became home to world's third largest nuclear arsenal, larger than that of France, the UK and China combined. Ukraine's arsenal included 176 ICBMs, of which 46 were the solid-fueled SS-24 "Scalpel" ICBMs, each armed with ten independently targeted nuclear warheads (MIRVs) and sat in in-ground launch silos near the city of Pervomaysk in southern Ukraine.<sup>166</sup> The SS-24s were designed and manufactured by *Pivdenmash* (*Yuzhmash* in Russian) design bureau and missile factory in the Ukrainian city of Dnipropetrovsk and deployed to Pervomaysk in 1988.<sup>167</sup> The other 130 were the liquid-fueled SS-19 "Stiletto" ICBMs, each armed with six warheads, designed and produced in Russia and deployed to Ukraine in early 1980s.<sup>168</sup> Forty of the SS-19s were also deployed in silos near Pervomaysk and further 90 were deployed in silos near the city of Khmelnytskyi in central Ukraine. Summarily, the number of nuclear warheads arming the Ukrainian ICBMs was 1,240, although there may have been additional replacement missiles in storage on bases, as was the Soviet practice. The regiments associated with these strategic nuclear weapons belonged to the 43<sup>rd</sup> Rocket Army headquartered in Vinnytsia, part of the Kyiv Military District.<sup>169</sup>

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<sup>165</sup> Steven J. Zaloga, "Strategic Force of the SNG," *Jane's Intelligence Review*, February 1992.

<sup>166</sup> I use the NATO nomenclature and designation for nuclear armaments as more straightforward and also more familiar to an Anglophone student of Soviet nuclear armaments.

<sup>167</sup> Zaloga, *The Kremlin's Nuclear Sword: The Rise and Fall of Russia's Strategic Nuclear Forces, 1945-2000*, 185–6.

<sup>168</sup> *Ibid.*, 183.

<sup>169</sup> The division of the 43<sup>rd</sup> Rocket Army was the one manning the missiles in Cuba during the Cuban Missile Crisis in 1962. <http://nsarchive.gwu.edu/NSAEBB/NSAEBB14/doc18.htm>

Further, Ukraine inherited regiments of the long-range strategic aviation, consisting of a total of 44 strategic bombers, 19 Tu-160 “Blackjack” and 25 Tu-95MS “Bear-H”, stationed at airbases in Uzhin and Pryluky.<sup>170</sup> The heavy bombers were armed with AS-15 “Kent” ALCMs each carrying a single nuclear warhead. These were some of the newest missiles in the Soviet arsenal, complete with a sophisticated control and guidance system. “Blackjacks” could carry up to eight and “Bears” – up to six ALCMs. Soviet long-range strategic aviation was concentrated heavily in both Ukraine and Belarus which were the primary staging areas for such formations in the event of a war with NATO.<sup>171</sup> Both the aircraft and the ALCMs were designed and produced in Russia.

Ukraine was the only site of the concentration of “Blackjacks,” the most modern of Soviet strategic bombers, which had been deployed there in 1988, with Russia possessing only a handful of test aircraft.<sup>172</sup> Prior to the Soviet dissolution, the “Blackjack” regiments were part of the 46<sup>th</sup> Smolensk Air Army and Bear-H regiments were under the 36<sup>th</sup> Moscow Air Army. Ukraine also had the primary repair facility for the TU-95 “Bears” in Bila Tserkva. Ukraine had 588 AS-15 ALCMs, thus putting the total number of nuclear warheads arming all strategic delivery vehicles, both ICBMs and strategic bombers, at a minimum of 1,828. In addition, as of September 1991, Ukraine had 2,633 tactical nuclear weapons, including nuclear anti-aircraft missile pods for dual-capable artillery systems, such as “Scud” and SS-21 “Scarab” missiles, as well as “Frog-7” missile artillery launchers, gravity bombs, and sea-launched nuclear torpedoes.<sup>173</sup>

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<sup>170</sup> Steven Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons*, Arms Control Series (Brookings, May 2011), 5, [http://www.brookings.edu/~media/research/files/papers/2011/5/trilateral%20process%20pifer/05\\_trilateral\\_process\\_pifer.pdf](http://www.brookings.edu/~media/research/files/papers/2011/5/trilateral%20process%20pifer/05_trilateral_process_pifer.pdf).

<sup>171</sup> Steven J. Zaloga, “Armed Forces in Ukraine,” *Jane’s Intelligence Review*, March 1992, 135. The range of these aircraft was between 6500-10500 km depending on the load.

<sup>172</sup> Zaloga, “Strategic Force of the SNG,” 79.

<sup>173</sup> Zaloga, “Armed Forces in Ukraine,” 133; Mark D. Skootsky, “An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994,” *The Nonproliferation Review* 2, no. 3 (Spring-Summer 1995): 69; Office of the President of Ukraine, “Dyrektyvy Deleghatsiï Ukraïny Na Perehovorakh Shchodo Realizatsiï Triokhstoronnioï Uhody, Shcho Vidbudut’sia v Kyievi 8-9 Liutoho 1994 Roku [Directives to the Delegation of Ukraine in the Negotiations on the Implementation of the Trilateral Agreement to Take Place on February 8-9, 1994],” February 7, 1994, Fond 5233, Opis 1, Delo 438, Central State Archive of Ukraine.

In addition to nuclear weapons, Ukraine inherited a vast nuclear industrial and research infrastructure. It was home to five nuclear power plants with a total of 14 nuclear reactors, which made Ukraine one of world's leading civilian nuclear powers. Further, Ukraine had three nuclear research reactors in Kyiv, Sevastopol and Kharkiv.<sup>174</sup> The Kharkiv Physical-Technical Institute was the leading developer of automated equipment for nuclear installations and also stored considerable quantities of highly enriched uranium (HEU) used in nuclear warheads.<sup>175</sup> Ukraine had indigenous uranium mining in Zhovti Vody, chemical plants for processing uranium ore and heavy water production.<sup>176</sup> The Pivdenmash missile factory in Dnipropetrovsk was the largest of its kind in the world. In addition to SS-24s, deployed in Ukraine, it produced many of the Soviet ballistic missiles and space launch vehicles and the Pivdenne (Yuzhnoye) Design Bureau was one of the premier missile design bureaus in the USSR.<sup>177</sup> The Pavlograd Machine Plant produced solid-fueled rocket engines, and the Khartron Scientific and Production Association in Kharkiv produced guidance and control systems for ICBMs.

In sum, Ukraine had some of the key elements of the Soviet nuclear program, and the 'loss' of Ukraine's production facilities and talent was the most painful blow to the former Soviet nuclear industry with which Russia would have to deal going forward. Some key elements of a nuclear fuel cycle and weapons program were missing, however. As mentioned above, Ukraine had no warhead production facilities. It also lacked uranium enrichment or plutonium reprocessing facilities essential for fabricating nuclear fuel and imported all fuel assemblies for its nuclear power stations from Russia.<sup>178</sup> Importantly, there were no test sites either for missiles or for nuclear weapons testing.<sup>179</sup> Nevertheless, at the time of Soviet dissolution, Ukraine had the greatest technical nuclear capability and expertise in place of the three non-Russian republics.

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<sup>174</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 8–9.

<sup>175</sup> *Ibid.*, 9.

<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*

<sup>178</sup> *Ibid.*

<sup>179</sup> *Ibid.*



## *Kazakhstan*

Kazakhstan is a Central Asian state with ninth-largest territory in the world, about the size of the entire Western Europe, and a population of 16.5 million in 1991. After the collapse of the Soviet Union it became the host of the forth-largest nuclear arsenal in the world. It inherited 104 liquid-fueled SS-18 “Satan” ICBMs, the heaviest missiles in the Soviet arsenal in terms of the payload. These were located on two sites: Derzhavinsk in northern Kazakhstan and Zhangiztobe in eastern part of the country, 52 missiles in each location. Each SS-18 carried ten warheads, making for a total of 1,040 strategic nuclear warheads in Kazakhstan.<sup>180</sup> In addition, Kazakhstan inherited 40 TU-95MS “Bear-H” bombers deployed at Dolon airbase in Semipalatinsk in eastern Kazakhstan as part of the 76<sup>th</sup> Air Army. According to START documentation, there were 370 AS-15 “Kent” ALCMs at the Semipalatinsk airbase.<sup>181</sup> No tactical nuclear weapons were deployed in Kazakhstan.

Importantly, Kazakhstan was home to Semipalatinsk Nuclear Test Site, the only Soviet nuclear test site outside of Russia. It also had a missile test center at Leninsk near the city of Baikonur and the Baikonur Cosmodrome, the only Soviet spaceport. Another testing range at Sary Shagan in eastern Kazakhstan served to test Soviet strategic air defense systems. As part of the research complex in the city of Kurchatov near Semipalatinsk, there were two nuclear research reactors, as well as a nuclear fuel fabrication facility near Ust’-Kamenogorsk in northern Kazakhstan, where some quantities of highly enriched uranium (HEU) had been stored.<sup>182</sup> Kazakhstan had rich uranium ore deposits that supplied over 50% of uranium for the Soviet nuclear program.

## *Belarus*

Belarus, a republic about the size of the United Kingdom in terms of territory, had a population of 10.3 million in 1991. Due to its location and significance in the Soviet military planning,

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<sup>180</sup> Ibid., 5.

<sup>181</sup> Ibid.

<sup>182</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 3-5.

Belarus was one of the most heavily militarized republics of the former Soviet Union, with nearly 10% of territory occupied by military installations.<sup>183</sup> Its nuclear inheritance included 54 land-mobile solid-fueled SS-25 “Sickle” ICBMs, armed with a single warhead and deployed at the bases in Lida and Mozyr, 27 at each location.<sup>184</sup>

The SS-25s were the most modern ICBMs in the Soviet arsenal. Operating on mobile transporter-erector launchers (TELs), large wheeled platforms known colloquially as “centipedes” in the Soviet military, they were more survivable than silo-based missiles, but also required more personnel and were generally more expensive to maintain.<sup>185</sup> In addition, Belarus had more than 1,000 tactical nuclear weapons that included nuclear artillery shells and portable nuclear mines, kept in underground storage facilities on the outskirts of Lepel, Shchuchin and Osyrovichi, as well as at the airfield near Minsk and Baranovichi.<sup>186</sup>

In a bitter irony, given the scope of damage Chernobyl nuclear power station accident inflicted upon Belarus, the republic had no civilian nuclear power reactor on its territory and the plans to build one were scrapped following the accident. It did, however, have a nuclear research reactor and an experimental reactor at the research institute at Sosny near Minsk, where over 30 kilograms of HEU were held.<sup>187</sup> While Belarus lacked key pieces of the nuclear weapons

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<sup>183</sup> Ibid., 2.

<sup>184</sup> Zaloga, “Strategic Force of the SNG,” 79; All of the nuclear weaponry remained under Russian control. Reportedly, the number of SS-25s was increased to 81 sometime in the early 1990s before the weapons were completely dismantled. *Nuclear Successor States of the Soviet Union* (Monterey, CA: The Monterey Institute of International Studies, March 1998), 9, <http://cns.miis.edu/reports/pdfs/statrep.pdf>.

<sup>185</sup> Zaloga, “Strategic Force of the SNG,” 84; Vasiliy Semashko, “Iadernoie Oryzhie v Belarusi: Sekretov Net? [Nuclear Weapons in Belarus: No Secrets?] Interview with the First Minister of Defense of the Republic of Belarus Pavel Kozlovskiy,” *Svobodnye Novosti Plus*, February 2006, [http://old.sn-plus.com/\\_old-site\\_/arhive/feb06/5/str/1-02.htm](http://old.sn-plus.com/_old-site_/arhive/feb06/5/str/1-02.htm).

<sup>186</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 2; Semashko, “Iadernoie Oryzhie v Belarusi: Sekretov Net? [Nuclear Weapons in Belarus: No Secrets?] Interview with the First Minister of Defense of the Republic of Belarus Pavel Kozlovskiy.” Upon visiting these storage facilities for the first time still as a commander of the Belarusian Military District, Kozlovskiy likened the nuclear warheads to “piglets in stalls... clean and shiny.” Ibid.

<sup>187</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 3–4.

complex, it was a major center for the design and production of Soviet computers and computer-based command and control systems.<sup>188</sup>

### **Nuclear Weapons between the USSR and the CIS**

The anxiety on behalf of the US and its NATO allies about the fate of the Soviet nuclear arsenal in case the USSR disintegrated preceded the disintegration itself. Indeed, it was likely behind the caution of the Bush administration with regard to pro-independence movements in the Soviet republics. Ethnic tensions mounting in Yugoslavia, another multinational empire, began to erupt in armed clashes between its constituent parts in the summer of 1991 and served as an ominous warning of what could happen to the Soviet Union. Parts of the USSR were already breaking out in ethnic conflict: Azerbaijan and Armenia in the Caucasus had been locked in a war over the Nagorno-Karabakh region since 1988 and ethnic tensions were brewing in Moldova and Tajikistan. That the Soviet Union with its 200-odd nationalities could follow the Yugoslav pattern of disintegration, with the world's largest nuclear arsenal trapped in the midst, seemed a frighteningly realistic prospect. In early December 1991, US Secretary of State James Baker would capture the specter of Yugoslavia in regard to the Soviet disintegration in the CBS News interview program "Face the Nation:"

[W]e really do run the risk... of seeing a situation created [in the Soviet Union] not unlike what we have seen in Yugoslavia with nukes, with nuclear weapons thrown in, and that could be an extraordinarily dangerous situation for Europe and for the rest of the world – indeed for the United States.<sup>189</sup>

"Yugoslavia with nukes" was quickly picked up by the press and became the catch phrase representing the worst-case scenario of the Soviet collapse. The Soviet political leadership was partly responsible for fanning these fears, as a way to maintain Western support for the preservation of the Union, but also out of earnest concern with potential nuclear risks associated

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<sup>188</sup> Ibid.

<sup>189</sup> Keith Bradsher, "Noting Soviet Eclipse, Baker Sees Arms Risks," *The New York Times*, December 9, 1991.

with the volatility in the country.<sup>190</sup> Indeed, the Soviet military began withdrawing tactical nuclear weapons from some Union republics as early as 1989.<sup>191</sup> The particular focus was the Baltic republics: they were at the forefront of the pro-independence movement and housed both tactical nuclear weapons and a large number of intermediate range missiles, which were due for destruction anyway under the 1987 INF treaty. Muslim republics of Uzbekistan and Azerbaijan were another high-risk area from which tactical nuclear weapons were promptly withdrawn, especially following an incident when in the winter of 1990, during mass anti-Armenian riots in Azerbaijan, protesters allegedly nearly seized a nuclear weapons storage facility outside of Baku.<sup>192</sup> These Soviet military efforts met wholehearted Western support. As one British journalist observed:

Ironically, NATO chiefs are reassured by the Soviet leader's move [to withdraw tactical nuclear weapons]. Even though the nuclear weapons are aimed mostly at NATO countries and are to be maintained in a condition to be fired, the West's military strategists see less danger in a stable Cold War-style situation than in a collapse of the Soviet Union in which they no longer know whose finger is on the button.<sup>193</sup>

Following the failed August 1991 *coup d'état*, or *putsch*, as it became known in the USSR, during which conservative Soviet military and security chiefs conspired to remove Gorbachev and declared a state of emergency, the issue of control over the Soviet nuclear arsenal came into a still sharper focus. Reports emerged that the perpetrators of the coup took possession of Gorbachev's nuclear briefcase and the US intelligence detected some "anomalous indicators" involving the SRF.<sup>194</sup> The *putschists* allegedly ordered preparations for nuclear tests at the Plesetsk

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<sup>190</sup> For a good summary of Soviet leadership warnings about nuclear risks associated with disintegration see "Statement by Senator Nunn, 'Soviet Defense Conversion and Demilitarization'" (Congressional Record, November 13, 1991), National Security Archive, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB447/1991-11-13%20Statement%20by%20Senator%20Nunn,%20Congressional%20Record,%20Soviet%20Defense%20Conversion%20and%20Demilitarization.PDF>.

<sup>191</sup> Ian Mather, "Nuclear Arms Evacuated From 'Volatile' Republics," *The European in FBIS-SOV-91-089-A*, March 3, 1991.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid.

<sup>194</sup> James Baker A. and Thomas DeFrank M., *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992* (New York: G.P. Putman & Sons, 1995), 526; The story of Gorbachev's *Cheget* during the coup is traced in Mikhail Tsyppin, "Adventures of the 'Nuclear Briefcase': A Russian Document Analysis," *Strategic Insights* 3, no. 9 (September 2004).

range in northern Russia as a power show.<sup>195</sup> It was reported that Soviet SRF commander, General Yuriy Maksimov, in an apparent attempt to prevent a potential nuclear launch by the *putschists*, made provisions to decrease the state of alert of all ICBMs across the Union.<sup>196</sup> All of this was happening amid an atmosphere of what David Remnick of the *Washington Post* described as “improvisation of the most gigantic scale.”<sup>197</sup> For the US leadership the August events seemed to confirm the virtue of centralized nuclear control especially in uncertain times.<sup>198</sup>

Following the failure of the coup, it became increasingly obvious that the USSR would not endure. On September 4, 1991, Secretary of State Baker announced the five principles, which set out the US expectations toward the Soviet disintegration. These included: 1) peaceful self-determination consistent with democratic values and principles; 2) respect for existing borders, with any changes occurring peacefully and consensually; 3) respect for democracy and the rule of law, especially elections and referenda; 4) human rights, particularly minority rights; and 5) respect for international law and obligations.<sup>199</sup> Although the issue of nuclear weapons did not feature on the list, it was the unwritten sixth principle: Baker himself noted that “far more important than politics or economics [of the Soviet disintegration] to the President... was the question of nuclear weapons.”<sup>200</sup>

In the fall of 1991, the US made it abundantly clear to the Soviet and republican leaders that command and control over Soviet weapons must remain in the hands of a single entity and that no new nuclear states must emerge.<sup>201</sup> To the republics aspiring to independence, it was communicated in no uncertain terms that their diplomatic recognition by the US and its allies

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<sup>195</sup> Peter Pringle, “The Soviet Union: Nuclear Control: Coup Leaders ‘Gave Orders for Arms Test to Warn West,’” *The Independent*, August 28, 1991.

<sup>196</sup> Alexander Pikayev, “Post-Soviet Russia and Ukraine: Who Can Push the Button?,” *The Nonproliferation Review* 1, no. 3 (Spring-Summer 1994): 34.

<sup>197</sup> David Remnick, “‘Imperialistic Tendency’ Of Russia Stirs Concern,” *The Washington Post*, August 29, 1991.

<sup>198</sup> Barton Gellman, “General Withdrew Missiles to Shelters During Coup; Experts Say Action Underscores Value of Central Control of Arms,” *The Washington Post*, August 28, 1991.

<sup>199</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 525.

<sup>200</sup> *Ibid.*, 526.

<sup>201</sup> *Ibid.*, 527.

hinged on the resolution of the nuclear command and control question to Washington's satisfaction, which included the denuclearization of the non-Russian republics and their accession to the NPT as NNWSs.<sup>202</sup>

Meanwhile, the new Soviet Minister of Defense Marshal Yevgeniy Shaposhnikov, whose predecessor Dmitriy Yazov was detained and tried for his part in the coup, reassured the West that the weapons were safe under central control.<sup>203</sup> Yet what 'central' was shaping out to mean was not entirely clear. The coup was over, its perpetrators detained and Gorbachev returned to his seat in Moscow. During Baker's visit to Moscow in September 1991, Gorbachev indicated that the chain of nuclear command ran through him, in other words, that he was back in possession of his *Cheget*.<sup>204</sup> However, the power in Moscow was quickly shifting from Gorbachev to Russian President Yeltsin whose bold stance during the August events helped foil the coup and whose team was now overtaking the Kremlin.

The political realities during the fall of 1991 were in a state of radical flux. Gorbachev still harbored hopes for the new Union treaty. While a number of the republics found such arrangement agreeable, there remained one major obstacle: Ukraine. It was unwilling to sign Gorbachev's treaty and, after declaring independence on August 24, moved decisively to establish its own ministry of defense and creating an independent army. Soviet Minister of Defense Shaposhnikov recalled that during that time both Gorbachev and Yeltsin repeatedly said: "There can be no Union without Ukraine."<sup>205</sup> Each of them, however, imbued the phrase with a different meaning:

Gorbachev meant that Ukraine must be somehow retained in the Union, otherwise the Union would not be possible. Yeltsin, however, meant that Ukraine was already leaving the Union, and without Ukraine what kind of Union

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<sup>202</sup> Ibid., 560; Thomas Graham, Jr., interview by Mariana Budjeryn, March 18, 2016.

<sup>203</sup> Nicholas Doughty, "Breakup Raises Nuclear Fears," *The Financial Post*, August 28, 1991.

<sup>204</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 527.

<sup>205</sup> Shaposhnikov, *Vybor. Zapiski Glavnokomanduyushchego*, 103.

would it be? Different solutions, different forms of cooperation were therefore necessary.<sup>206</sup>

On the military issues, the republics split into three different camps: the Baltic states, whose independence the USSR recognized in September 1991, insisted on creating their own national armed forces from scratch and on immediate withdrawal of the Soviet army from their territories; Ukraine, Moldova and Azerbaijan intended to more or less gradually transform the Soviet army units on their territory into their own national armies; and Russia, Belarus, Armenia and Kazakhstan together with the rest of Central Asian republics favored the preservation of a single army and a single military-strategic space.<sup>207</sup> It became virtually impossible to accommodate these divergent positions – particularly those of Russia and Ukraine – within the same political and security framework.

The Soviet Ministry of Defense and military command obviously also preferred the status quo. While Shaposhnikov allowed for some delegation of military powers to the republics, such as the retention of a small republican guard and civil defense units, he worked hard to preserve a single Soviet military that included nuclear forces and provided for the security of all republics.<sup>208</sup> Shaposhnikov stressed to the republican leaders that any partitioning of the nuclear force would have dangerous and destabilizing consequences for global security.<sup>209</sup>

Within Russia itself different positions emerged regarding the handling of nuclear weapons. Russian political circles that were not enthusiastic to see the Soviet Union go naturally supported the military status quo advocated by Shaposhnikov. Russia's Vice President Aleksandr Rutskoi was an open supporter of the preservation of a single Soviet military.<sup>210</sup> At the same time, in the fall of 1991, Rutskoi put forward a proposal to create a dual structure of authority between the Union and the Russian Federation, under which Russia will have a veto power over the launch of

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<sup>206</sup> Ibid.

<sup>207</sup> Ibid., 116.

<sup>208</sup> Ibid., 80–81.

<sup>209</sup> Ibid., 106.

<sup>210</sup> Peter Frank, "Aleksandr Rutskoi - A Political Portrait," *Jane's Intelligence Review*, May 1992, 196.

missiles from its territory.<sup>211</sup> President Yeltsin, on the other hand, immediately following the August coup, publically stated that the way to deal with the former Soviet nuclear arsenal was to have all weapons transferred from the non-Russian republics to Russia.<sup>212</sup> This statement might have been the reiteration of the Western position on Soviet nuclear arms or else reflected Yeltsin's own doubts whether a common nuclear force could be salvaged. Other Russian observers argued that the republics should be allowed to keep the weapons but be made to shore up the cost of maintaining and dismantling them independently.<sup>213</sup>

The signature of the Belavezha Accord on December 8, 1991, further complicated things by essentially dissolving the sovereign entity, to which the Soviet military establishment was attached. The least controversial move for the authors of the Accord was to preserve the status quo in nuclear matters and deal with them in earnest at a later date. Article 6 of the Belavezha Accord stated: "Member-States of the Commonwealth will preserve and maintain, under the joint command, a common military-strategic space, including single control over nuclear weapons." Parties further confirmed their commitment to "the elimination of all nuclear armaments, [and] to total and complete disarmament under international control," and to respect each other's aspirations to "attain the status of a nuclear-free zone and a neutral state," a reference to Belarus's and Ukraine's aspirations per their declarations of sovereignty.<sup>214</sup> The wording of the clause about total and complete disarmament under international control was a clear reference to Article VI of the NPT, generally associated with the NWS obligations under the treaty. Yet the Belavezha Accord made no specific mention of that treaty or what

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<sup>211</sup> Pringle, "The Soviet Union: Nuclear Control: Coup Leaders 'Gave Orders for Arms Test to Warn West.'"

<sup>212</sup> "Yeltsin Offers to Transfer Nukes from the Ukraine to Russia," *The Jerusalem Post*, August 29, 1991, Lexis-Nexis Academic.

<sup>213</sup> Vladimir Kuznechevskiy, "Ukrainian, Kazakh Nuclear Arms Stance Scored. 'You Want Nuclear Weapons? Take Them. But Pay for Them Yourselfes,'" *Rossiyskaya Gazeta in FBIS-SOV-91-225*, November 15, 1991.

<sup>214</sup> *Soglaseniie O Sozdanii Sodruzhestva Nezavisimikh Gosudarstv* [Agreement On the Establishment of the Commonwealth of Independent States].



constituted obligations of its parties in relation to it, beyond stating that the signatories undertake to uphold the international legal commitments of the former Soviet Union.<sup>215</sup>

The US government was clearly concerned about what the dissolution of the USSR spelled out for the global nuclear order. That Russia was a legal successor to the USSR in every relation, including as a NWS under the NPT was beyond doubt for all parties involved. Yet in Belavezha, further two republics, Ukraine and Belarus committed to uphold international legal obligations of the USSR, and it was unclear in what capacity they would do so in relations to, say, the bilateral START or the multilateral NPT. Secretary Baker, during his address at Princeton on December 12, 1991, made it quite explicit that the US would be firm in expecting all non-Russian republics seeking independence to adhere to the NPT as non-nuclear-weapons states, to agree to full international inspection of nuclear facilities and to impose effective export controls on nuclear materials and technology.<sup>216</sup>

In the meantime, Baker said that the US would be open to the idea that the Soviet nuclear weapons remain under the control with a single unified authority based on collective decision-making but excluding the possibility of independent control. “The precise nature of that authority is for Russia, Ukraine, the other republics, and any common entities to determine,” said Baker, signaling his somewhat uncertain recognition of the CIS and concomitant dissolution of the USSR.<sup>217</sup> The subsequent CIS institutional arrangements were focused on managing the nuclear issue by preserving the operational status quo rather than removing the ambiguities in the status of the Soviet successor states in relation to their nuclear inheritance and Soviet nuclear obligations.

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<sup>215</sup> Article 12, *Ibid.*

<sup>216</sup> Martin Walker, “US Issues Calls for Summit on Soviet Break up,” *The Guardian*, December 13, 1991.

<sup>217</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 563.

## CIS and Nuclear Weapons: “Joint” Command and “Single” Control

On December 21, 1991, the CIS held its first summit during which the idea forged in Belavezha was filled with some institutional substance. A further eight former Soviet republics – Armenia, Azerbaijan Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan and Uzbekistan – signed the Protocol to the Belavezha Accord whereby becoming equal parties to the CIS.<sup>218</sup> The CIS parties also adopted a decision to recognize Russia as a successor to the Soviet seat at the UN that entailed a veto power at the Security Council.<sup>219</sup> Beyond setting up some of the basic governing institutions of the CIS, the important focus of the meeting was to make arrangements for the management of the former Soviet nuclear forces.

The parties signed a so-called Almaty Declaration where they pledged to maintain “joint command of military-strategic forces and single control over nuclear weapons.”<sup>220</sup> Furthermore, the four ‘nuclear’ republics: Belarus, Kazakhstan, Russia, and Ukraine signed a separate Agreement on Joint Measures on Nuclear Weapons, which stipulated that the “nuclear forces that comprise Joint Strategic Armed Forces provide for the collective security of all members of the Commonwealth,” effectively establishing a kind of CIS nuclear umbrella within which the nuclear policy would be developed jointly by the four signatories.<sup>221</sup> The parties upheld their commitment to nuclear nonproliferation and disarmament and undertook obligations to be bound by the no-first-use principle and not to transfer nuclear arms and technology to third parties, although this was not to be treated as an impediment to their transfer from Belarus, Kazakhstan and Ukraine to Russia “for the purpose of their dismantlement.”<sup>222</sup>

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<sup>218</sup> Thus, the CIS comprised all former Soviet republics except the three Baltic states and Georgia which would join in 1993.

<sup>219</sup> *Resheniie Soveta Glav Gosudarstv Sodruzhestva Nezavisimykh Gosudarstv [Decision of the Council of the Heads of State of the Commonwealth of Independent States]*, December 21, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=5>.

<sup>220</sup> *Alma-Atinskaya Deklaratsiia [The Alma-Aty Declaration]*, December 21, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=4>.

<sup>221</sup> *Soglaseniie o Sormestnykh Merakh v Otnoshenii Iadernogo Oruzhiia. [Agreement On Joint Measures on Nuclear Weapons]*, December 21, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=3>. Article 1 and Article 3.

<sup>222</sup> Article 2 and Article 5.2, Ibid.

At the same time, Belarus and Ukraine – but not Kazakhstan – pledged to join the NPT as non-nuclear weapons states.<sup>223</sup> Until strategic nuclear forces on their territories were completely dismantled, the decision to use the armaments would be made by the President of the Russian Federation “with the approval” of the heads of state-parties to the Agreement, according to an unspecified “jointly developed procedure.”<sup>224</sup> Ukraine, Belarus and Kazakhstan also committed to transfer all tactical weapons to central factory premises for their dismantlement “under joint supervision” before July 1, 1992.<sup>225</sup> Marshal Shaposhnikov was charged with the command of the Armed Forces, which included the Strategic Forces (SF), although the document did not specify exactly *whose* forces these were.<sup>226</sup>

After Almaty, nothing was left of the Soviet Union, even its mighty nuclear arsenal now formally reported to the Council of the heads state of the CIS. On December 25, 1991, Mikhail Gorbachev resigned as President of the USSR and transferred his *Cheget* to Russian President Boris Yeltsin. Marshal Shaposhnikov remained in possession of the second *Cheget*, now as Commander-in-Chief of what would be later named the Joint Armed Forces (JAF) of the CIS, that is, the rechristened Soviet Armed Forces. The third nuclear briefcase was probably with General Maksimov, the commander of the SF.<sup>227</sup> The United States, reassured by the preservation of single nuclear control, granted diplomatic recognition to the Soviet republics on December 25, 1991. The following day, the upper house of the Supreme Soviet of the USSR voted to self-terminate.

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<sup>223</sup> Article 5.1, *Ibid.*

<sup>224</sup> Article 4, *Ibid.*

<sup>225</sup> Article 6, *Ibid.* The inclusion of Kazakhstan was superfluous since there were no tactical nuclear weapons on the country’s territory. So effectively, under the Almaty Agreement, Kazakhstan made no commitments on the transfer of nuclear weapons from its territory.

<sup>226</sup> *Protokol Soveschaniia Glav Nezavisimykh Gosudarstv (O Poruchenii Komandovaniia Vooruzhennymi Silami Marshala Shaposhnikovu Ye. I.) [Protocol of the Meeting of the Heads of Independent States (On Charging Marshal Shaposhnikov Ye. I. with the Command of the Armed Forces)*, December 21, 1991,

<http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=3412>.

<sup>227</sup> Pikayev, “Post-Soviet Russia and Ukraine: Who Can Push the Button?,” 34. The CIS Strategic Forces were the continuation of the Soviet Strategic Deterrence Forces, which were a product of military reform introduced by Gorbachev in October 1991 that put all arms of the Soviet nuclear ‘tricycle’ – SRF, strategic bombers and nuclear-armed submarines – under a single command.

While the general framework for post-Soviet nuclear weapons management seemed to be in place, questions remained about what exactly constituted ‘strategic forces,’ what was meant by the ‘joint command’ and ‘single control,’ and how would the strategic forces be financed. In order to address these questions, at the next CIS meeting in Minsk on December 30, a further Agreement on Strategic Forces was signed, this time by all eleven CIS members. This Minsk Agreement aimed to specify what comprised SF but its definition remained rather broad and included not only offensive nuclear forces, installations and troops attached to them, but also all air defenses, reconnaissance, paratrooper units and educational facilities associated with the former Soviet strategic complex.<sup>228</sup> The precise lists, however, were to be agreed on state-by-state basis.<sup>229</sup> The decision-making rule was augmented to include consultations with the non-nuclear members who were covered by the CIS nuclear umbrella.<sup>230</sup>

A further CIS agreement was signed in Minsk on February 14, 1992 and attempted to settle the status and financing of the SF.<sup>231</sup> The SF were defined as an “independent strategic association that does not intrude into the internal affairs of their host states.”<sup>232</sup> Article 2.2 of the agreement stipulated that “the Strategic Forces are meant to provide security to all party states of the Agreement and are financed through fixed contributions of these states.”<sup>233</sup> Ukraine, however, signed the agreement with the exclusion of Article 2.2, effectively refusing to finance the SF through contributions to the CIS.<sup>234</sup> Furthermore, in March 1992 Ukraine opted not to sign the Agreement on Joint Armed Forces of the CIS, making it difficult to reconcile its non-

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<sup>228</sup> *Soglaseniie mezhdru Gosudarstvami-Uchastnikami Sodruzhestva Nezavisimikh Gosudarstv po Strategicheskim Silam* [Agreement between Member-States of the Commonwealth of Independent States on Strategic Forces], December 30, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=9>.

<sup>229</sup> Article 1, Ibid.

<sup>230</sup> Article 4, Ibid.

<sup>231</sup> *Soglaseniie mezhdru Gosudarstvami-Uchastnikami Sodruzhestva Nezavisimikh Gosudarstv o Statuse Strategicheskikh Sil* [Agreement between Member-States of the Commonwealth of Independent States on the Status of Strategic Forces], February 14, 1992, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=32>.

<sup>232</sup> Ibid.

<sup>233</sup> Ibid.

<sup>234</sup> Ibid., Armenia and Azerbaijan signed with their own conditions.

participation in JAF with its participation in the joint command of the SF, which were part of JAF.<sup>235</sup>

Effectively, the CIS nuclear agreements were an exercise in preservation rather than reform and prolonged the ambiguities created by the Soviet disintegration without solving any of its critical issues. On the one hand, the non-Russian nuclear successors participating in the joint command of the CIS SF had clear attributes of nuclear weapons states: they were to exercise a measure of political control over the armaments, such as formulation of nuclear policy and participation in the decision to use nuclear arms. Furthermore, they undertook obligations that, in international legal terms were associated with NWSs under the NPT, such as the no-first-use and no-transfer.<sup>236</sup>

On the other hand, despite the veneer of collectivity, the nuclear command and control was exercised essentially by Russia, not the CIS. Formally, the Commonwealth was not a confederation, nor any other kind of sovereign entity: indeed, the CIS founding documents specifically stated that it was neither a state or a supra-state structure but a set of coordinating institutions.<sup>237</sup> To fulfill the premise of the joint command of the CIS SF was to place world's largest nuclear arsenal under the command of either a loose association bereft of any sovereign powers or simply four separate sovereigns whose strategic alliance was rather uncertain. Even the texts of the new military oath for the CIS SF troops demanded allegiance not to the CIS, but to the serviceman's country of citizenship and to the country in which they were stationed.<sup>238</sup>

Technically and operationally, the provisions that decision-making on possible nuclear use would be made 'jointly' with the non-Russian states were also an illusion. While a special telephone

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<sup>235</sup> *Soglaseniie ob Ob'edinennykh Vooruzhennykh Silakh na perekhodnoi period* [Agreement on Joint Armed Forces for the Transition Period], March 20, 1992, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=59>.

<sup>236</sup> These ambiguities were aptly noted by Victor Zaborovsky, *Nuclear Disarmament and Nonproliferation: The Evolution of the Ukrainian Case* (Kennedy School of Government, Harvard University, June 1994).

<sup>237</sup> *Alma-Atinskaiia Deklaratsiia* [The Alma-Aty Declaration].

<sup>238</sup> *Soglaseniie Gosudarstv-Uchastnikov Sodruzhestva Nezavisimikh Gosudarstv O Voennoi Prisiage v Strategicheskikh Silakh* [Agreement of the States-Members of the Commonwealth of Independent States on Military Oath in Strategic Forces], January 16, 1992, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=16>.

communication had been installed to connect the heads of states of the four nuclear successors for the purpose of consultations on the launch decision, it was little more than smoke and mirrors. During a meeting in Moscow on December 16, 1991 even before the Almaty and Minsk agreements were concluded, Yeltsin assured Secretary Baker that a 'joint' control of the 'button' would not be possible and that Russia would end up being the only nuclear power in the CIS.<sup>239</sup> According to Yeltsin, the special telephone 'hotline' would be provided on the premise that the leaders of Ukraine, Kazakhstan and Belarus "do not understand how these things work" and would be "satisfied with having telephones."<sup>240</sup> Shortly after the conclusion of the Almaty and Minsk agreements, Yeltsin allegedly issued a decree stipulating that the 'consultations' with the CIS leaders would be bypassed in a case of emergency.<sup>241</sup>

Furthermore, until May 1992, the High Command of the CIS JAF also dubbed as the Russian Ministry of Defense and the JAF itself was quickly becoming synonymous with the Russian Armed Forces, as the non-Russian republics asserted jurisdiction over former Soviet troops on their territory. A senior US diplomat visiting the CIS JAF headquarters in Moscow shortly after its establishment reported that it was rather obvious that no such thing existed and that the façade of the CIS military structures was but a fig leaf that made the presence of Russian troops on the territory of now independent republics more palatable.<sup>242</sup>

Yeltsin might have been right to state in December 1991 that the republican leaders knew little about how Soviet nuclear command and control worked. However, they were quick studies.

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<sup>239</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 571.

<sup>240</sup> Yeltsin quoted in Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 572.

<sup>241</sup> The text of Yeltsin's decree is not available, but its contents were recounted by Kazakhstan's President Nazarbayev in a meeting with French officials. "Minutes of the Meeting of the President of the Republic of Kazakhstan Nursultan Nazarbayev with Minister of Foreign Affairs of France Roland Dumas," January 25, 1992, Fond 5-N, Opis 1, Delo 217, List 1-19, Archive of the President of the Republic of Kazakhstan. It is unclear what precise wording was used in Yeltsin's decree. By emergency, it might have meant a launch under attack situation, which in the case of a surprise attack by a US ICBM, for instance, would have given some 30 minutes response time, indeed not enough for Russia to consult with three other CIS leaders. Yet one is at pains to imagine any decision on nuclear use that would not be an 'emergency' or provide ample decision-making time, other than a preemptive strike.

<sup>242</sup> Louis D. Sell, interview by Mariana Budjeryn, February 3, 2016. Louise Sell served as Minister Counselor for political affairs in US Embassy Moscow in 1991-1993.

They saw immediately that Moscow's *de facto* control of Soviet nuclear arms combined with Western fears of proliferation precipitated the transition of the Russian Federation into the geopolitical space hereto occupied by the entire Soviet Union, an entity in which they all had been constituent parts. Such takeover would turn out to be equally problematic for Kazakhstan, where key decision-makers did not want to see the Soviet Union disappear, and for Ukraine, where many were glad to see it collapse, but continued to be wary of Russia's regional hegemony.

Thus, it was in terms of the succession to and Russia's perceived usurpation of the Soviet Union's international statuses, that actors in Kazakhstan, Ukraine and Belarus would formulate their positions with regard to the Soviet nuclear arms on their territories. As we shall see from the subsequent chapters, the nuclear successors developed divergent interpretations of the Soviet collapse, the role of the CIS and the military-strategic arrangements within it. Given the inherent tensions within the CIS nuclear arrangements and the lack of consensus on how to take them forward, it is unsurprising that they proved unsustainable. The CIS SF were finally disbanded in May 1993, when the Russian Ministry of Defense and General Staff assumed a *de jure* control over all former Soviet strategic nuclear weapons, the control they exercised *de facto* all along.

### **Soviet Disintegration as a Proliferation Problem**

While 'Yugoslavia with nukes' did not materialize, the fears of nuclear proliferation continued to inform the US and Western policy toward the newly independent states. The post-Soviet nuclear proliferation issue had two aspects. One was the fear of 'loose nukes,' that is, the risk posed by the lax controls over nuclear installations across the vast Soviet territory, now gripped by political instability and economic hardship, which was conducive to illicit trade in nuclear weapons, materials and expertise with nuclear aspirants in the Middle East and elsewhere. In an address to the US Congress in November 1991, Georgia Senator Sam Nunn stated bluntly: "We... have the potential for the greatest proliferation in history of weapons from the world's

largest military arsenal to Third World countries, including those ruled by the Saddam Husseins of the future.”<sup>243</sup> These fears were confirmed fairly early in 1992 when it emerged that several Middle Eastern states had approached the Kazakhstani government expressing interest in its nuclear inheritance.<sup>244</sup> These were potentially very unpleasant problems that created additional burden for the US and the international nonproliferation regime, and continued to be the focus of international concerns.

Yet there was also another aspect of the proliferation issue that was somewhat more elusive but potentially more consequential for the global nuclear order in general: it was the emergence of the new nuclear states among the post-Soviet successors. Indeed, following the August coup, British ITN network reported that many Western diplomats considered the emergence of several nuclear states instead of one a most “nightmarish” scenario.<sup>245</sup> It was primarily this aspect that the US stressed when it said that no new nuclear states should emerge out of the Soviet collapse and that Russia should become the sole nuclear possessor in the post-Soviet space.

Such US position, however, was not only, not even primarily, based on traditional understandings of security competition between states. In December 1991 no one in Washington seriously feared that Ukraine, or other non-Russian republics, would pose a security threat to the United States.<sup>246</sup> Indeed, there was something ironic in the US insistence on concentrating all nuclear weapons in Russia where they would be targeted at the US, while the republics beamed with what Secretary Baker described as “the intense desire to satisfy the United States.”<sup>247</sup> Some in the office of Dick Cheney, Bush’s Secretary of Defense, were not averse to the idea of Ukraine retaining the inherited nuclear capability based on the rationale that the less

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<sup>243</sup> “Statement by Senator Nunn, ‘Soviet Defense Conversion and Demilitarization,’” 7.

<sup>244</sup> This will be discussed in more detail in Kazakhstan case study.

<sup>245</sup> Aleksandr Pogodin, “‘Justifiable Fears’ Over Nuclear Controls Raised,” *Radio Moscow World Service in FBIS-SOV-91-172*, August 29, 1991.

<sup>246</sup> Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons*, 10.

<sup>247</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 583.



weapons ended up in Moscow's hands, the better for the US.<sup>248</sup> Yet Cheney's position found virtually no support outside of his office.<sup>249</sup> The State Department did consider the adverse consequences of such scenario on the regional security: a nuclear rivalry between Moscow and its neighbors would have been an unwelcome prospect.<sup>250</sup> At the same time, the State Department Bureau of Intelligence and Research (INR) judged the outbreak of a war between Russia and Ukraine, even if Ukraine were to establish independent control over its nuclear weapons, as extremely unlikely.<sup>251</sup>

Beyond regional security considerations, however, the emergence of new nuclear states had important consequences for the international nonproliferation regime. The NPT recognized only five nuclear-weapon-states yet one of them had ceased to exist and now a host of newly independent states could claim the right to Soviet nuclear legacy and its status under that treaty, as its legal successors. Any such claims or the refusal of Soviet nuclear successor states to join the regime would have come at quite an inauspicious time for the NPT. Already in 1991, the US and other NPT depositary states began focusing on organizing the 1995 NPT Review and Extension Conference, during which, according to the provisions of the treaty, the NPT could be extended indefinitely. The US and its allies judged the successful indefinite and unconditional extension of the treaty as extremely important and made a concerted diplomatic effort to this effect.<sup>252</sup> France and China were expected to join in early 1992 as NWSs, fully reconciling the nonproliferation regime with the international power structures: the five NWS would be the same as the five veto powers of the UN Security Council. South Africa joined the NPT as a NNWS in 1991, following its nuclear renunciation. Iraq's nascent nuclear program was all but foiled by the US strikes during the 1991 Gulf War. Israel, the state believed to possess nuclear

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<sup>248</sup> Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons*, 10.

<sup>249</sup> Graham, Jr., interview.

<sup>250</sup> Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons*, 10.

<sup>251</sup> Greg Thielmann, "The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project," interview by Charles Stuart Kennedy, November 4, 2004, 89, <http://www.adst.org/OH%20TOCs/Thielmann,%20Greg.toc.pdf>.

<sup>252</sup> Thomas Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law* (Seattle, WA: University of Washington Press, 2002), 258–9.

weapons, as well as India and Pakistan, at the time suspected of developing their own nuclear deterrents, remained outside of the NPT. In addition, within the NPT itself a score of compliance issues in North Korea, Iran and Libya still existed. Yet overall the NPT was enjoying a positive momentum, which the post-Soviet proliferation threatened to seriously upset and possibly hinder the indefinite extension.<sup>253</sup>

The discussions of the possible complications the Soviet disintegration could spell for the NPT were broached during the consultations of the NPT depositary states in the wake of the August coup on September 13, 1991 in Vienna. Soviet representative Boris Mayorsky addressed the issues arising from “changes in the Soviet Union” by stressing that whatever happens, the Soviet Union and its constituent components were committed to international obligations of what he could not help but refer to as “the former Soviet Union.”<sup>254</sup> As long as there was a commitment to maintain some form of a union, nonproliferation problems would be under the union responsibility.<sup>255</sup> If no union remained, then these responsibilities would be handled “rationally,” Mayorsky hoped.<sup>256</sup> At the same time, Mayorsky acknowledged that while the Baltic states, whose independence had already been recognized by the USSR, agreed to be admitted to the NPT as NNWS, “other emerging republics, depending on their relationship to the Center and to a unified army, could pose more of a definitional problem.”<sup>257</sup>

Once the Soviet Union *de jure* ceased to exist, the recognition of the Russian Federation as the USSR’s successor in relation to the NPT was beyond dispute. On January 13, 1992, the Russian foreign ministry circulated a diplomatic note to foreign governments requesting that “the Russian Federation be considered as the Party in all international treaties in force in place of the

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<sup>253</sup> On post-Soviet disarmament as a consideration for NPT extension see *Ibid.*, 284.

<sup>254</sup> U.S. Department of State, “Report of the NPT Depositary Meeting of September 13, 1991,” September 24, 1991, Document No. C17925229, U.S. Department of State Freedom of Information Act.

<sup>255</sup> *Ibid.*

<sup>256</sup> *Ibid.*

<sup>257</sup> *Ibid.*

Union of Soviet Socialist Republics.”<sup>258</sup> At the meeting of the NPT depositary states on February 27, 1992 in Vienna, the issue of depositary succession topped the agenda. The US acknowledged receiving the Russian note and, concurring, simply expressed the hope that “the previous close relationship between the US, UK and USSR depositaries in coordinating NPT activities, including preparation for NPT Review Conferences, will continue with the Russian Federation.”<sup>259</sup> Perhaps without realizing this, the other Soviet republics themselves indirectly agreed that much at the CIS meeting in Almaty in December 1991 when they recognized the Russian Federation as a successor state to the Soviet seat at the UN Security Council, although they would not specifically acknowledge Russian succession to the Soviet NWS status under the NPT until July 1992.<sup>260</sup>

The question remained, however, whether Russia would be the *sole* successor state in the nuclear realm. Ukraine, Belarus, and Kazakhstan became subject of a special focus during the February meeting of the NPT depositaries. The current status of these states was not specifically addressed, yet the US stressed that it deemed it “essential” that these states accede to the NPT as NNWS as soon as possible and expressed concern about the contradictory statements coming at that time from Kazakhstan.<sup>261</sup> In response, Mayorsky stated that he expected the Ukrainian and Belarusian accession fairly quickly, yet he was less confident about Kazakhstan.<sup>262</sup>

Mayorsky’s optimism about Ukraine would prove misplaced: for certain political actors in Kyiv, as in Almaty, it seemed that recognizing Russia as a NWS under the NPT did not automatically mean denying Kazakhstan and Ukraine the nuclear status in which they previously partook as the

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<sup>258</sup> Cited in George Bunn and John Rhineland B., “The Arms Control Obligations of the Former Soviet Union,” *Virginia Journal of International Law* 33, no. 323 (1993 1992): 324–5.

<sup>259</sup> U.S. Department of State, “NPT Depositary Meeting. Draft Agenda and Talking Points,” February 19, 1992, Document No. C17925203, U.S. Department of State Freedom of Information Act.

<sup>260</sup> *Resheniie Ob Uchastii Gosudarstv-Uchastnikov Sodruzhestva v Dogovore O Nerasprostratenii Iadernogo Oruzh'ia* [Decision on Accession of Member-States of the Commonwealth [of Independent States] to the Treaty on Nonproliferation of Nuclear Weapons], July 6, 1992, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=120>.

<sup>261</sup> U.S. Department of State, “NPT Depositary Meeting. Draft Agenda and Talking Points.”

<sup>262</sup> U.S. Department of State, “Report of the NPT Depositary Meeting of February 27, 1992,” March 2, 1992, Document No. C17925200, U.S. Department of State Freedom of Information Act.

equal constituent parts of the Soviet Union on par with Russia. Nor did they think the recognition of Russia as a NWS under the NPT meant that they should relinquish all claims to *their* nuclear inheritance. Moreover, the CIS nuclear arrangements treated all nuclear successors as equals and repeatedly featured commitments on their behalf to uphold all Soviet international legal obligations, while not explicitly addressing the question of ‘differential’ succession with regard to the NPT or other Soviet commitments in the realm of arms control.

### **Soviet Disintegration as an Arms Control Problem**

After decades of expensive arms race, the end of the Cold War presented an unprecedented opportunity to drastically reduce the number of nuclear arms held by the two superpowers. START became the greatest arms control achievement in the history of the superpower relations, and the Bush administration was keen to maintain the arms reduction momentum inaugurated by that treaty. On September 27, 1991, President Bush announced a series of unilateral initiatives to withdraw US tactical nuclear weapons from overseas bases to the US as well as early deactivation of ICBMs scheduled for destruction under START.<sup>263</sup> On October 5 these Presidential Nuclear Initiatives (PNIs), as they became known, were reciprocated by Gorbachev, who in turn proposed further strategic nuclear reductions that would go beyond START and reduce nuclear stockpiles of the superpowers by half.<sup>264</sup> The Soviet leadership conveyed to the US side that it was predominantly domestic anxieties of instability or even civil war that motivated such unprecedented nuclear reductions.<sup>265</sup>

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<sup>263</sup> “Memorandum of Telephone Conversation between President Bush and President Gorbachev,” September 27, 1991, National Security Archive, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB447/1991-09-27%20Memorandum%20of%20Telephone%20Conversation%20between%20President%20Bush%20and%20President%20Gorbachev.PDF>; Podvig, *Russian Strategic Nuclear Forces*, 23.

<sup>264</sup> “Memorandum of Telephone Conversation between President Bush and President Gorbachev,” October 5, 1991, National Security Archive, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB447/1991-10-05%20Memorandum%20of%20Telephone%20Conversation%20between%20President%20Bush%20and%20President%20Gorbachev.PDF>.

<sup>265</sup> “Statement by Senator Nunn, ‘Soviet Defense Conversion and Demilitarization.’”

The nuclear arms race was turning into a disarmament race. Yet both the Soviet and US leadership realized that the dire state of the Soviet economy would hamper these ambitious arms reduction plans, unless financial assistance was made available: disarmament, like arms race, required funds and technology. Thus, in November 1991, the US Congress passed the so-called Cooperative Threat Reduction Act (CTR), authored and cosponsored by Senators Sam Nunn (D-GA) and Richard Lugar (R-IN), under which the US Congress would appropriate about \$400 million annually to provide technical assistance to the Soviet Union for nuclear disarmament, security and conversion.<sup>266</sup> While the financial concerns seemed to have been thus resolved, the final collapse of the Soviet Union in December 1991 put the implementation of START in a dubious legal and political territory, since one of its signatories ceased to exist.

In January 1992, the Bush administration dispatched an interagency team led by US Undersecretary of State for International Security Reginald Bartholomew to Moscow, Kyiv, Minsk and Almaty to follow up with the governments of the newly independent states on the implementation of Soviet arms control obligations, in particular START and conventional arms reduction under Conventional Forces in Europe (CFE) treaty, as well as on their pledge to join the NPT. START had already been submitted to the US Congress for ratification in November 1991, yet what shape the ratification and implementation was to take on the former Soviet side now that the armaments due for reduction under that treaty were spread over the territories of four, instead of one state, was a challenge Bartholomew hoped to resolve.

Bartholomew came armed with four guiding principles on which the US built its approach to the issues at hand. The first principle was that the issues of post-Soviet disarmament could not be guided solely by “legal theories.”<sup>267</sup> This seemed to be a thinly veiled admission that from the standpoint of “legal theories” there might indeed be a case for more than one nuclear state in the

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<sup>266</sup> CTR was enacted into law by President Bush on December 12, 1991.

<sup>267</sup> In this discussion I use the record of Bartholomew’s meetings in Belarus on the assumption that his message was the same to all non-Russian successors. “Minutes of the Meetings with US Undersecretary of State R. Bartholomew,” January 20, 1992, 70, Fond 968, Opis 1, Delo 4152, List 39-72, National Archive of the Republic of Belarus.

post-Soviet realm. The second principle sidestepped the succession question and consisted of two aspects: one, Russia, Belarus, Kazakhstan and Ukraine must maintain single nuclear control; and two, the three non-Russian parties must accede to the NPT as NNWSs.<sup>268</sup> Third, in the implementation of START the US preferred to keep the treaty bilateral.<sup>269</sup> This meant that only the Russian parliament should ratify the treaty, followed by the exchange of ratification instruments. The three non-Russian states would then conclude separate implementation agreements with Russia.<sup>270</sup> The fourth and final principle was that any approach to START and other arms control obligations of the former Soviet Union must rest on the consensus of Russia, Belarus, Kazakhstan, and Ukraine.<sup>271</sup>

Bartholomew encountered a pushback on this vision of START ratification in all three non-Russian capitals where his interlocutors were reluctant to commit their countries to participating in the implementation of an international treaty they neither negotiated, nor ratified. All three former Soviet republics wanted to assert their newly found sovereign prerogatives, and, to differing degrees, were sensitive to the unequal treatment vis-à-vis Russia Bartholomew's approach entailed. Thus, Ukraine, Kazakhstan and Belarus insisted that they should become fully-fledged parties to START on par with Russia and give their parliaments a chance to deliberate and ratify the treaty.<sup>272</sup> According to Thomas Graham, the general counsel for the US Arms Control and Disarmament Agency (ACDA), who was part of Bartholomew's delegation, the Ukrainian side was particularly recalcitrant.<sup>273</sup> Not only did the Ukrainian interlocutors state that they wanted to be an equal party to START, some indicated that they had a problem with Ukraine joining the NPT as a NNWS.<sup>274</sup>

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<sup>268</sup> Ibid.

<sup>269</sup> Ibid.

<sup>270</sup> Ibid., 71.

<sup>271</sup> Ibid., 70.

<sup>272</sup> The positions of each state will be discussed in more detail in the subsequent case-study chapters.

<sup>273</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 134.

<sup>274</sup> Ibid.

Russia was strongly opposed to the multilateralization of START. At the meeting of the foreign ministers of Russia, Ukraine, Kazakhstan, and Belarus on April 11, 1992 aimed at settling the START succession issue, Russian foreign minister Kozyrev insisted that the treaty concerned Russia alone: “If Ukraine is a nuclear-free state and in the near future becomes a member of the [NPT] as a nuclear-free state, then it is absolutely unclear how it can be a side in the treaty on strategic offensive arms, which just deals with the nuclear arsenal.”<sup>275</sup> Indeed, to satisfy Ukraine, Kazakhstan, and Belarus in their demands to join START as equal successors of the USSR on par with Russia would inadvertently help legitimize their claims to nuclear possession and cast them into a dangerous territory in relation to the NPT.

### **Legal Succession to START and NPT**

Bartholomew’s “legal theories” and Mayorsky’s “definitional problems” referred to the problem of interpreting and applying succession rules to the non-Russian republics in regard to Soviet arms control commitments. The guidance international law provided in the post-Soviet cases was ambiguous. International norms on state succession emerged after WWII primarily in the context of decolonization and were formalized in the 1978 Vienna Convention on Succession of States in Respect of Treaties. Although to date the convention has not entered into force because not enough parties signed and ratified it, the succession rules contained in it have been generally regarded as customary international law by the US government.<sup>276</sup>

According to the 1978 Vienna Convention, the general rule for the succession of states is the so-called ‘clean slate’ rule. Under Article 16 of the Convention, “A newly independent State is not bound to maintain in force, or to become a party to, any treaty by reason only of the fact that at the date of the succession of States the treaty was in force in respect of the territory to which the

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<sup>275</sup> “‘Discrepancy’ in Ukraine’s Claim Eyed,” *Radio Mayak in FBIS-SOV-92-071*, April 12, 1992.

<sup>276</sup> Bunn and Rhinelanders, “The Arms Control Obligations of the Former Soviet Union,” 330.

succession of State relates.”<sup>277</sup> In other words, a successor state was not bound by the commitments made by its predecessor and could choose whether to sign or ratify its predecessor’s treaties. The clean slate rule usually applied to former colonies on the premise that they had no say in the foreign policy of their colonial overlord at the time international commitments that applied to their territory were made.<sup>278</sup>

However, the 1978 Vienna Convention also provides for the so-called ‘continuity’ rule. In a case of the separation of parts of a state that was previously united, Article 34 of the Convention states that “any treaty in force at the date of the succession of States... continues in force for each successor State...”<sup>279</sup> The premise of the continuity rule is that the separating parts of the state had some influence over the international legal commitments of their predecessor.<sup>280</sup> Following the Soviet disintegration, the continuity rule applied rather straightforwardly to Russia’s succession to Soviet obligations, and the clean state rule was generally applied to the Baltic states whose incorporation in the Soviet Union was never recognized by the US and many other states.

As for the remainder of the Soviet republics, the US government had a general preference for the continuity rule, based on the belief that their experience within the USSR did not quite correspond to the colonization patterns in Asia and Africa that would warrant the clean slate rule.<sup>281</sup> This particularly applied to Ukraine and Belarus since they were among the founding members of the UN and as such enjoyed international legal agency since 1945, at least on paper. Certainly, the behavior of Belarusian and Ukrainian delegations at the UN was entirely determined by the Soviet Politburo, which permitted them to join some treaties but not other. Nevertheless, Belarusian and Ukrainian SSRs became members of a score of international

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<sup>277</sup> *Vienna Convention on the Succession of State in Respect of Treaties*, August 23, 1978, [http://legal.un.org/ilc/texts/instruments/english/conventions/3\\_2\\_1978.pdf](http://legal.un.org/ilc/texts/instruments/english/conventions/3_2_1978.pdf).

<sup>278</sup> Bunn and Rhineland, “The Arms Control Obligations of the Former Soviet Union,” 328–9.

<sup>279</sup> *Vienna Convention on the Succession of State in Respect of Treaties*. Article 34.1(a)

<sup>280</sup> Bunn and Rhineland, “The Arms Control Obligations of the Former Soviet Union,” 329.

<sup>281</sup> *Ibid.*, 333.



institutions such as the International Court of Justice (since 1945), World Health Organization (since 1946), UNESCO (since 1954) and the IAEA (since 1957). By 1980, the Ukrainian SSR, for instance, was a party to some 120 international treaties and conventions and a member of some 15 inter-governmental organizations and their 55 permanent and temporary bodies.<sup>282</sup>

In 1963, Ukrainian and Belarusian SSRs joined the Partial Test Ban Treaty (PTBT), yet the Politburo did not allow them to join the NPT in 1968. Then, joining the NPT came in conflict with the dual status of these republics as separate members of the UN and as constituent parts of the USSR: for Ukrainian and Belarusian SSRs to join the treaty as NWS would have been inconsistent with the purpose of the treaty to prevent the increase in the number of such states beyond five; and for them to join as NNWSs would subject their nuclear facilities to IAEA's safeguards and inspections, which Moscow was unwilling to accept on the Soviet territory and had no obligation to accept as a NWS under the NPT.<sup>283</sup> In 1990, the two republics again attempted to join the NPT, this time expressly as NNWS and, once again, were denied by Moscow, and the US and UK, the other depositaries, did not to challenge the Soviet position.<sup>284</sup>

In many cases, during the Soviet period, the US regarded the accession of the Ukrainian and Belarusian SSRs to international institutions as already included under the signature and ratification of the USSR.<sup>285</sup> Following the disappearance of the USSR, this translated into the preference on the part of the US for continuity rule of succession vis-à-vis post-Soviet republics and demands that they respect international obligations of the USSR. In regard to both the NPT and START, however, the application of the continuity rule uniformly across all republics created formidable problems, for it could serve to substantiate the claims of republics other than

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<sup>282</sup> Alexander Motyl, "The Foreign Relations of the Ukrainian SSR," *Harvard Ukrainian Studies* 6, no. 1 (March 1982): 65–6.

<sup>283</sup> Bunn and Rhineland, "The Arms Control Obligations of the Former Soviet Union," 330, ft. 28.

<sup>284</sup> Victor Batiouk, *Ukraine's Non-Nuclear Option* (New York: UN Institute for Disarmament Research, 1992), 3; Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 13.

<sup>285</sup> Bunn and Rhineland, "The Arms Control Obligations of the Former Soviet Union," 330.

Russia to equal status as NWSs under the NPT. Indeed, in early 1992, both Ukraine and Kazakhstan were beginning to make just such claims.

The 1978 Vienna Convention, however, provided some guidance in this regard by stating that an exception could be made to the continuity rule if “it appears from the treaty or is otherwise established that the application of the treaty in respect of the successor State would be incompatible with the object and purpose of the treaty.”<sup>286</sup> In the case of the NPT, the US government judged that such exception clearly applied, since admitting non-Russian republics to the treaty as NWSs would be to defy its very purpose to limit the number of nuclear weapons states to the number that existed in 1967, that is the very essence of the nonproliferation norm embedded in the treaty.

Thomas Graham as the general council at ACDA considered this issue in a briefing memorandum sent to the US Department of State on April 10, 1992. He argued that using the very language of urging the non-Russian republics ‘to join the NPT as non-nuclear-weapon states’ was misleading because it created the impression that the republics had a choice in which capacity to join.<sup>287</sup> Graham pointed out that, at the time the NPT was concluded, only five states met the criteria for NWS status under Article IX of the treaty whereby a nuclear-weapon state is “one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.”<sup>288</sup> Graham emphasized that “there is no question that the negotiators of the Treaty intended that there could never be more than five.”<sup>289</sup> In other words, since the very objective of the NPT was to prevent the emergence of any new nuclear-armed states, no additional states could join the treaty in that capacity without defying its very purpose.

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<sup>286</sup> *Vienna Convention on the Succession of State in Respect of Treaties*, August 23, 1978, [http://legal.un.org/ilc/texts/instruments/english/conventions/3\\_2\\_1978.pdf](http://legal.un.org/ilc/texts/instruments/english/conventions/3_2_1978.pdf). Article 34.2(b).

<sup>287</sup> Thomas Graham, “Briefing Memorandum. Nuclear vs. Non-Nuclear-Weapon State Status Under the NPT,” April 10, 1992, Case No. F-2008-02837, Doc No. C17925180, U.S. Department of State Freedom of Information Act, <https://foia.state.gov/Search/results.aspx?searchText=Thomas+Graham+nuclear+Ukraine&beginDate=&endDate=&publishedBeginDate=&publishedEndDate=&caseNumber=>.

<sup>288</sup> *Ibid.*

<sup>289</sup> *Ibid.*

The US approach to the NPT succession issue was *an* interpretation and was not uncontestable, as Ukraine's denuclearization story would demonstrate. One could certainly challenge the argument that the overriding purpose of the NPT was to keep the number of *nuclear states* at five, rather than to keep the *nuclear armaments* spreading to new states. The language and the very name of the treaty seem to point to the latter, with the understanding that limiting the number of nuclear-armed states and preventing the emergence of new ones is a *means* to curbing the proliferation of nuclear armaments in the world. Indeed, the relationship between nuclear states, nuclear weapons and international security was raised by the NPT's NNWSs in their criticism of the so-called 'vertical' proliferation by the NWS, that is, their development of new and more advanced nuclear armaments.

The recognition of the non-Russian states as the NWS under the NPT based on the continuity rule of state succession would not have resulted in nuclear proliferation understood as a spread of nuclear weapons to places where none had been before. Indeed, the non-Russian republics were often baffled by why they were framed as 'proliferators' and treated to all the negative attention on behalf of the Western media and pressure from Western powers, whereas, in their view, they had done nothing wrong. They did not seek the nuclear weapons they inherited in defiance of international norms and commitments, but equally they were not prepared to relinquish all claims to them as if their economies and people had not labored for decades to contribute to the Soviet nuclear program, often at a high economic and human cost. What the republics encountered was the absence of international normative categories to accommodate their nuclear predicament: they undoubtedly had some kind of justifiable claim to their nuclear inheritance, that not even Russia or Western powers could deny, but at the same time this claim could not be legitimized within the NPT.

Any attempt to legitimize the nuclear possession of the non-Russian Soviet successors based on some liberal interpretation of the NPT would have had dubious repercussions for the

nonproliferation norm. Certainly, such legitimation was not only a matter of legal interpretation of the NPT, and would have been challenged by the US and its allies no matter what international law said. However, devoid of normative footing, such a challenge from states that themselves either possessed nuclear armaments or relied on extended deterrence of a nuclear power, could not have been treated other than pure hypocrisy. The very existence of the NPT created the imperative to legitimize nuclear possession by the non-Russian successors in the first place. In addition, it allowed the US, UK and Russia to mount their challenge from within the international normative space. Indeed, as the depositaries of the treaty, they had the prerogative to decline the instruments of accession if they did not see those as fitting the purposes of the treaty. The NPT depositaries could, and most certainly would, reject instruments of accession from the non-Russian republics had they unilaterally decided to adhere to the NPT as NWSs.

Furthermore, Russia's status as the only continuous successor to the NPT as a NWS, put it under the obligation to prevent any of the other republics, or their association, from establishing control over nuclear armaments on their territory. Thus, strictly speaking, the ambiguous CIS arrangements that ostensibly put nuclear control under the command of a loose association went counter to the prescriptions of the NPT: indeed, when the NPT was negotiated, it was the Soviet Union that had objected that the NPT should accommodate Western proposals of a European nuclear-armed multilateral force that would have been something not unlike the CIS Strategic Forces.<sup>290</sup> Yet, as the US had previously insisted with regard to the deployment of its own nuclear weapons to the territories of its European NATO allies, as long as the nuclear armaments remained under the Russian control, their deployment on the territory of Belarus, Kazakhstan and Ukraine did not violate the NPT and did not prevent these states from joining the treaty as NNWSs.<sup>291</sup>

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<sup>290</sup> Bunn and Rhineland, "The Arms Control Obligations of the Former Soviet Union," 337.

<sup>291</sup> U.S. Department of State, "Report of the NPT Depositary Meeting of February 27, 1992."

START presented another challenge. In international legal terms, the continuity rule could not be applied to the non-Russian republics, since START was not in force at the time of Soviet disintegration and the republics could not be considered bound by its obligations. What emerged during Bartholomew's visit was that the republics had a preference for being regarded as equal successor states and undertake continuous obligations in relation to START. However, as mentioned above, this was problematic on the grounds that accession of Belarus, Kazakhstan and Ukraine to the treaty on strategic arms reduction on par with Russia inadvertently granted all four equal status as successors of the USSR in relations to nuclear arms and thus levied the obligation to *reduce*, perhaps in proportional shares, the nuclear arms on their territory, not completely dismantle them. If the US government wanted to see START ratified and implemented it had to solve a tricky problem: how to reconcile equal continuous obligations of the Soviet successor states under START at the same time as ensuring differential obligations under the NPT.

### **New Start for START: The Lisbon Protocol**

The conundrum of START and NPT succession demonstrated the ambiguous status of the non-Russian nuclear successors in relation to Soviet nuclear arms. Although they could not be regarded as NWSs under the NPT, the strategic arms reduction treaty, to which only NWSs could be parties, could not enter into force without their participation and cooperation for the simple reason that the armaments in question were on their sovereign territory. This meant they could deny access to foreign inspectors, as well as prevent or complicate efforts to remove the weapons should the US and Russia attempted to bypass them. Thus, the demands of Ukraine, Belarus, and Kazakhstan to become equal parties to START could not have been altogether ignored.

The US must have anticipated some of these problems: during his meetings in January 1991 with the leaders of newly independent states, Bartholomew suggested that despite disagreements,

there may be an acceptable “legal formula” to satisfy the interests of all parties.<sup>292</sup> The visit of Senators Nunn and Lugar, the sponsors of the CTR program, to the newly independent states in March 1992 also helped prod the administration in that direction.<sup>293</sup> The senators criticized the administration for failing to adequately adjust to the realities of Soviet disintegration and stated in no uncertain terms that “in all its actions, the U.S. should treat each new nation that has emerged from the [former Soviet Union] as fully sovereign.”<sup>294</sup>

Thus, fairly early in 1992 the administration made a decision to multilateralize START.<sup>295</sup> To this effect, in April 1991, an interagency team drafted a protocol to START and proceeded to negotiate it with Ukraine, Belarus, and Kazakhstan. On May 24, 1992 the foreign ministers of the US, Russia, Belarus, Kazakhstan, and Ukraine met in Lisbon, Portugal to sign the annex, which became known as the Lisbon Protocol. Article I of the Protocol stated that Belarus, Kazakhstan, Russia, and Ukraine, “as successor states of the former Union of Soviet Socialist Republics in connection with the Treaty,” shall assume the Soviet obligations under the treaty.<sup>296</sup> As such, the four party states “shall make such arrangements among themselves as are required to implement the Treaty’s limits and restrictions; to allow functioning of the verification provisions,” and will participate in the Joint Compliance and Inspection Commission (JCIC).<sup>297</sup> At the same time, Article V of the Protocol obligated Belarus, Kazakhstan, and Ukraine to adhere to the NPT “as non-nuclear states Parties in the shortest possible time,” to which effect

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<sup>292</sup> “Minutes of the Meetings with US Undersecretary of State R. Bartholomew,” 50.

<sup>293</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 133.

<sup>294</sup> “Trip Report: A Visit to the Commonwealth of Independent States by Senator San Nunn (D-GA), Senator Richard Lugar (R-IN), Senator John Warner (R-VA), and Senator Jeff Bingaman (D-NM),” March 6, 1992, 3, National Security Archive, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB447/1992-03-6%20through%2010%20Trip%20Report,%20A%20Visit%20to%20the%20Commonwealth%20of%20Independent%20States.PDF>.

<sup>295</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 135.

<sup>296</sup> “Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms,” Lisbon, May 23, 1992, <http://www.state.gov/documents/organization/27389.pdf>.

<sup>297</sup> Ibid. Article II and IV.

they “shall begin immediately to take all necessary action... in accordance with their constitutional practices.”<sup>298</sup>

Beyond committing the non-Russian republics to join the NPT, the US wanted to ensure their complete denuclearization. As discussed above, the NNWS status under the NPT was consistent with the deployment nuclear arms on their territories as long as those arms remained under command and control of a nuclear state, as it was the case with the US deployment of its nuclear weapons to its European allies. Indeed, in mid-1960s, during the negotiations of the NPT, it was the US that insisted on this point against Soviet objections.<sup>299</sup> Yet now with regard to Russian weapons on the territory of other republics, the US judged that in such tumultuous times as those following the Soviet dissolution, it was best not to take any chances.<sup>300</sup> The Russian side also seemed keen to have all armaments withdrawn to the Russian territory, more so in view of Ukraine’s growing attempts to establish greater control over strategic forces on its territory. Thus, the US insisted that the heads of state of Belarus, Kazakhstan, and Ukraine signed letters committing their states to eliminating all nuclear armaments from their territories within the seven-year time period provided by START for the implementation of reductions.<sup>301</sup> The three letters were attached to the Protocol and included in the START/Lisbon package to be ratified by the legislatures of all five signatories.

The Lisbon Protocol was an ingenious solution to a difficult political and international legal problem. What it gave the non-Russian successor states with one hand, it took away with the other. On the one hand, it satisfied the demand of the non-Russian states for equal participation in START and opened the way for its ratification and implementation. On the other, lest the commitments of the non-Russian states be interpreted as simply reducing armaments, the US obtained their written commitment to join the NPT as NNWSs. Moreover, the US managed to

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<sup>298</sup> Ibid.

<sup>299</sup> I am indebted to David Holloway for pointing this out.

<sup>300</sup> Graham, Jr., interview.

<sup>301</sup> The texts of all three letters are reprinted in *Arms Control Today*, June 1992, 35-36.

obtain their commitment to eliminate all nuclear weapons from their territories, regardless of whether they agreed to Russian control of these armaments, thus going beyond the demands of the NPT.

For the non-Russian republics, the significance of the Protocol was in that it elevated their international standing as participants in an important international strategic arms treaty, as well as duly acknowledged their sovereignty by including them in the issues that concerned armaments on their territories. At the same time, the Lisbon Protocol became the first international legal instrument to record the commitment of the non-Russian republics to join the NPT as NNWS. Hereto, such commitments on behalf of Ukraine and Belarus took shape of unilateral declarations of intent and were recorded in the ambiguous CIS agreements, some of them still pending ratification. Kazakhstan had abstained even from those. The Lisbon Protocol elevated these commitments by making them an integral part of a high-profile international arms control treaty.

Still, the Lisbon Protocol did not manage to resolve the underlying questions: to whom the weapons stationed in the non-Russian successor states belonged and what claims these states, pending their accession to the NPT, could make with regard to these armaments. Indeed, by recognizing Belarus, Kazakhstan, and Ukraine as successor states of the USSR in a strategic arms control treaty, the Lisbon Protocol created a dangerous opening, to which Russia was particularly sensitive. The Russian foreign minister Andrei Kozyrev recorded Russia's interpretation of the multilateralization of START in a separate statement attached to the Protocol. Kozyrev stressed that Russia considered Ukraine, Belarus, and Kazakhstan "non-nuclear weapons states at the moment of the signing of the Protocol;" indeed, their participation in the Protocol confirmed and strengthened their non-nuclear status.<sup>302</sup> Russia also stated that the exchange of START ratification instruments would be conditional on the accession of the non-Russian republics to

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<sup>302</sup> "Written Statement by the Russian Side at the Signing of the Protocol to the START Treaty on 23 May 1992 in Lisbon," *Arms Control Today*, (June 1992), 36.



the NPT, which it expected to take place simultaneously with their ratification of START.<sup>303</sup> The Russian interpretation that the non-Russian states were non-nuclear weapons states at the time of the signature of the Lisbon Protocol and thus had no claims in regard to those weapons would be challenged over the following two and a half years, most notably by Ukraine. START would come into force only on December 5, 1994, after Ukraine would become the last of the new START parties to join the NPT and submit its instruments of ratification to the NPT depositary states.

The divergent interpretations of the nuclear inheritance of the non-Russian successor states turned out to be more than mere definitional problems and would continue to manifest themselves in claims these states would make during disarmament negotiations with the US and Russia. Although Belarus made few such claims, Kazakhstan and, most vociferously, Ukraine would stake demands for security guarantees and financial compensation based on the premise that the weapons they were surrendering were rightfully theirs.

One such instance was the US purchase of highly enriched uranium (HEU) from Russia. The Soviet and post-Soviet disarmament effort released huge amounts of HEU extracted from the dismantled Soviet warheads. Russia had neither sufficient storage facilities nor use for such quantities of weapons grade uranium. In the fall of 1991, Thomas Neff, a physicist of the Massachusetts Institute of Technology (MIT) conceived of an idea that the Soviet HEU could be blended down and sold to the US for the use as civilian nuclear fuel: this way the US could ensure that the disarmament process moves along and Russia would benefit by obtaining much needed hard currency for its economy.<sup>304</sup> The program became known and “Megatons to

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<sup>303</sup> Ibid.

<sup>304</sup> Anne-Marie Corley, “A Farewell to Arms,” *MIT Technology Review*, August 19, 2014, <https://www.technologyreview.com/s/529861/a-farewell-to-arms/>.

Megawatts” and would run until 2013, by which time the US will have bought about 500 metric tons of Soviet HEU for about \$17 billion of the CTR funds.<sup>305</sup>

Throughout 1992 the deal was negotiated between the US and Russia directly and did not involve the non-Russian republics in the process. When the news of the impending US-Russian HEU deal reached the non-Russian nuclear successors some time in late summer 1992, they voiced the familiar demands to be included in the negotiations and the distribution of proceeds from the HEU extracted from ‘their’ warheads. Once again, Russia objected that the republics had any claims to the proceeds from the deal, since the warheads and the materials they contained could not be considered to belong to the republics.

The US, however, took a more nuanced stance. In the report to the Senate Foreign Relations Committee on February 9, 1993, Maj.-Gen. William Burns the head of the US Safe and Secure Disarmament (SSD) delegation, which administered the HEU program as well as other CTR technical assistance programs, related that “the US emphasized to Russia, Ukraine, Belarus, and Kazakhstan that we will not sign the contract for this purchase until they have reached agreement on an equitable and appropriate sharing of the proceeds of the sales.”<sup>306</sup> The acknowledgement that the proceeds from the sale of HEU released from the warheads removed from Belarus, Ukraine, and Kazakhstan should go to them, and not only to Russia as the sole NWS, suggested that at some level the US recognized claims of nuclear inheritance on behalf of the non-Russian states.

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<sup>305</sup> Ibid.

<sup>306</sup> “Report to the Senate Committee on Foreign Relations on U.S. Efforts to Facilitate the Safe and Secure Disarmament of Former Soviet Nuclear Weapons by Major General William F. Burns, U.S. Army (Ret), Head of U.S. SSD Delegation,” February 9, 1993, 6, National Security Archive, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB491/docs/09%20-%201993-02-09%20Burns%20Report%20to%20Senate%20Committee.pdf>.

## **Conclusion: Soviet Nuclear Weapons between Past and Future**

For almost five decades the Soviet Union mobilized enormous financial, natural and human resources to create world's largest nuclear arsenal. As in a true Greek tragedy, the success of this Herculean effort contained the seeds of its maker's demise. In 1991, under the weight of the self-imposed military yoke and aided by the centrifugal pull of its constituent parts, the Soviet Union passed into history, leaving behind staggering nuclear forces on the territory of four new sovereign states: Belarus, Kazakhstan, Russia, and Ukraine. In the wake of the Soviet collapse, the Soviet military behemoth with its nuclear might still stood intact, resembling a kind of rigid exoskeleton from which the body had suddenly slipped out. Designed over decades of Cold War for the sole purpose of deterring the US and its allies, and prevailing in a war should deterrence fail, the Soviet military remained the hardest element of the dissolved Soviet Union to reshape in such a way as to accommodate the emerging security interests of all former Soviet republics.

From the moment the crumbling of the Soviet Union became irreversible in August 1991, the fate of this vast nuclear arsenal became the primary source of anxieties the US and its allies. The initial source of Western anxieties was the eruption of a Yugoslavia-style civil war, yet these were soon supplanted by proliferation fears. The West came to regard Soviet nuclear disintegration not primarily as a regional security issue, much less a security threat to the US, but rather as a global nuclear proliferation issue. As such it had both the aspect of physical security of sensitive materials that levies added stress on the nonproliferation regime, and the aspect of a more fundamental challenge to the global nuclear order presented by claims of legal succession to the USSR.

The disintegration of a NWS under the NPT had no political and legal precedent, yet the treaty's categories, terms and purposes outlined the normative space within which the complex realities of Soviet disintegration and succession had to be addressed. Like on an organizational chart, the

NPT offered five boxes for five legitimate nuclear weapons possessors. One suddenly ceased to exist yet its box remained and needed to be filled. That Russia should fill that box was beyond dispute for most everyone in the world. The nuclear status of other Soviet successors was more ambiguous, however, and thus the validity of claims they could make in relation to their nuclear inheritance became the subject of political contestation.

The NPT depositary states were well aware of the possible complications for the international nonproliferation regime arising from the Soviet dissolution. The emergence of more than one nuclear state from the rubble of the Soviet Union would seriously dilute the nonproliferation norm and threaten the regime at a critical time. The NPT depositaries, in particular the US and Russia, consulted and colluded to jointly manage these complications: the US made the maintenance of single control over Soviet nuclear armaments and NPT accession by the non-Russian nuclear successors a condition for granting them diplomatic recognition, and Russia ensured that centralized command and control was preserved in practice and given an acceptable interim form within the CIS. Most importantly, for both Russia and the US, it was critical that Russia should emerge as a sole successor to the USSR in respect to the NPT and that all nuclear weapons from the non-Russian state be removed. What resulted was a “very curious form of cooperation” between the US and Russia, recalled Greg Thielmann of the US State Department INR: “[W]e rooted for the safe transit of nuclear weapons from these other countries back to Russia so they could then be put online aimed at the United States. There was certainly some irony in that.”<sup>307</sup>

As the following three case-study chapters will reveal, Belarus, Kazakhstan and Ukraine would develop different response to the challenge of reconciling their nuclear predicament with the demands of the nonproliferation regime and the consorted US-Russian position aimed at enforcing it. The non-Russian nuclear successors would arrive at different interpretations of

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<sup>307</sup> Thielmann, “The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project,” 88.

their sudden nuclear inheritance and would pursue different paths toward NPT accession and denuclearization. Nuclear discourses in these three states would become embedded in their emerging narratives of national security. These narratives would differ across the three political contexts, contingent, on the one hand, on how political actors there interpreted their Soviet past, and on the other, how they envisioned their new sovereign future.

## Chapter Two. Ukraine: Negotiating a Nuclear Exception

“In 1991 it seemed that our state is standing on the verge of a breakthrough into the big world, which is ready to embrace us... The breakthrough happened, but no warm embrace was forthcoming.”

Anatoliy Zlenko, Minister of Foreign Affairs of Ukraine (1991-1994)<sup>308</sup>

“Ukrainians had some real choices for keeping some of those nuclear weapons.”

Greg Thielmann, US Department of State (1991-1993)<sup>309</sup>

### Introduction

In 1991, Ukraine emerged from the rubble of Soviet collapse with a staggering nuclear arsenal stationed on its territory: some 4,500 nuclear weapons, including tactical weapons and warheads arming its strategic delivery vehicles, the 176 ICBMs and 44 long-range strategic bombers. This amounted to world's third largest nuclear arsenal, more than those of France, the UK and China combined. In 1994 Ukraine formally renounced any claim to these weapons by joining the NPT as a NNWS, by 1996 all nuclear weapons would be transferred from Ukraine's territory to Russia and by 2001, the last of ICBM launch silos would be decommissioned and destroyed. Yet renouncing nuclear weaponry was no easy decision for Ukraine. Of the three non-Russian states that inherited Soviet strategic nuclear arms, Ukraine's path toward nuclear disarmament and the NPT was the most contentious and controversial. In the epicenter of contestation was Ukraine's controversial claim to ownership of these nuclear weapons, predicated by its strife to reconstitute its relations with Russia on the basis of formal equality as a successor state of the USSR and obtain recognition of this reconstitution from the West, in particular the US.

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<sup>308</sup> Anatoliy Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamicznykh Heopolitychnykh Zmin* [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes] (Kharkiv: Folio, 2003), 240.

<sup>309</sup> Thielmann, “The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project,” 88.

Ukraine's history had been inescapably intertwined with that of Russia and its identity as a nation and later as a state had been negotiated in relation to Russia, either in positive or negative terms. Both nations trace their ancestry to the Kievan Rus, a medieval confederation of Eastern Slavic tribes in the 9<sup>th</sup>-13<sup>th</sup> century and their history of their lands overlapped and intertwined on one way or the other ever since. Yet by the time of the Soviet collapse, Ukraine was assembled of regions whose divergent histories yielded very different predispositions toward the northern neighbor. The bulk of the Ukrainian lands, its central and eastern regions had been gradually incorporated into the Russian imperial dominions since mid-17<sup>th</sup> century. Following the Bolshevik revolution in 1917, Ukrainians of the former Russian empire made a bid for independence, forming the Ukrainian People's Republic (*Ukrayinska Narodna Respublika* or UNR), which, after a brief war with the Bolsheviks, collapsed. The Ukrainian lands, were incorporated into the Ukrainian Soviet Socialist Republic (UkrSSR) that in 1922 became one of the four founding members of the Union of Soviet Socialist Republics (USSR). Ukraine's east suffered greatly at the hands of Stalin's purges and policies of forced collectivization and rapid industrialization, which resulted in the Holodomor, the famine that starved between 4 and 7 million of Ukrainian peasants.<sup>310</sup>

During the WWII, Ukraine was entirely occupied by the Nazi Germany with the front passing through its territory east in 1941 and then west in 1944. Soviet Ukrainians fought a grueling battle against the Nazis alongside Russians, Belarusians and other Soviet peoples, a battle that became the single most important and formative experience for the entire generation of men and women. Moreover, WWII became the symbol of common sacrifice, heroism and camaraderie between the three east Slavic nations – Russians, Belarusians and Ukrainians – which bore the brunt of civilian and military casualties in the war, as well as the lion's share of credit in Soviet victory. After WWII, Ukraine as well as Belarus were given a seat in the newly founded United

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<sup>310</sup> See Robert Conquest, *The Harvest of Sorrow. Soviet Colektivization and the Terror-Famine* (New York: Oxford University Press, 1986).

Nations, primarily to bolster Soviet dominated presence in the UN, but also as a tribute to their status as founding members of the Soviet Union and to recognize their role in defeating the Nazi Germany.<sup>311</sup>

Meanwhile, Ukraine's western region of Galicia, with its 'capital' in Lviv, came to view Russia in markedly different terms. This region had been part of the Polish Commonwealth and since late 18<sup>th</sup> century, was ruled by the Habsburg Empire. In the aftermath of WWI, which saw the collapse of the Habsburgs, Galicia made an attempt to create its own independent state and unite with the UNR, but was instead incorporated into the interwar Poland. In 1939, it was annexed by the Soviet Union pursuant to secret protocol attached to the Soviet-Nazi non-aggression pact and, after the war, was made part of the UkrSSR. During WWII, Galicia found itself at the heart of what historian Timothy Snyder called the bloodlands, territories and peoples with weak or absent statehood, trapped between the two of 20<sup>th</sup> century's most brutal totalitarian regimes, both of which scourged and disseminated the civilian populations of the region.<sup>312</sup>

Under the command of Stepan Bandera, Ukrainian nationalists formed the Ukrainian Insurgent Army (*Ukrajinska Povstanska Armia*, UPA), which briefly allied with the Nazis in the hopes of gaining independence for Ukraine under the German auspices, and continued a desperate and unsuccessful guerilla struggle against the Soviet authorities well into 1950s.<sup>313</sup> Post-war Soviet repressions to subdue and weed out the "banderites" and "bourgeois nationalists" in Galicia resulted in hundreds of thousands captured and tortured by the NKVD (*Narodnyi Kommissariat Vnutrennikh Del*, the precursor of the KGB) and then sent to the gulags in Siberia and Central Asia. Despite best efforts of Soviet historiography to recast the annexation of Galicia as an amiable reunification of the Ukrainian lands, Western Ukrainians retained a living memory of their struggle against the Soviet rule and the terror of Soviet repressions. These were woven into

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<sup>311</sup> David Marples R., *Belarus. From Soviet Rule to Nuclear Catastrophe* (London: Macmillan, 1996), 20.

<sup>312</sup> Timothy Snyder, *Bloodlands: Europe between Hitler and Stalin* (New York: Basic Books, 2010).

<sup>313</sup> Bandera himself ended up imprisoned in a Nazi concentration camp, from which he escaped.



a narrative of Ukrainian identity that saw the Soviet regime as a continuation of Russian imperialism and cultural chauvinism, thus yielding a markedly different idea of Russia in Western Ukraine than that in the eastern parts of the republic.

The Soviet experience with all its totalitarian exigencies, nevertheless left Ukraine assembled within unprecedentedly generous borders. In addition to troublesome Galicia, UkrSSR incorporated Bukovina and Transcarpathia, annexed from Romania and Czechoslovakia, respectively, after the war. In 1954, Soviet leader Nikita Khrushchev transferred to the UkrSSR the Crimean peninsular, a decision driven primarily by geography and economic rationale. Crimea, the indigenous homeland of Crimean Tatars, was conquered by the Russian crown from the Ottomans in late 18<sup>th</sup> century. In 1943, almost entire Tatar population was forcibly deported by Stalin from Crimea to Central Asia for allegedly collaborating with the Nazis, and subsequently resettled predominantly with ethnic Russians. Thus, the transfer of Crimea augmented ethnic Russian population in Ukraine, which by 1991, comprised some 22% of the total, and in addition to Crimea, concentrated in the heavily industrialized eastern regions of Ukraine contiguous with Russia.<sup>314</sup> This sizable Russian minority combined with the Russified Ukrainian population created a skewed ethno-linguistic balance: while Ukrainians constituted ethnically predominant group with 73% of the population, Ukrainian language was spoken by a minority of 43%, with the ethno-linguistic correspondence particularly distorted in the industrialized south and east of Ukraine.<sup>315</sup>

During the 1960s and 1970s, Ukraine developed a robust dissident movement much of it concentrated in its intellectual and cultural centers of Kyiv and Lviv. Many of the dissidents were the artists and the literati who focused on Ukraine's cultural and linguistic distinctiveness in

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<sup>314</sup> Andrew Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith* (Cambridge: Cambridge University Press, 1997), 22–23.

<sup>315</sup> Ibid.

the face of Russian cultural and linguistic hegemony under the façade of internationalism.<sup>316</sup> Others, the so-called jurists, criticized the Communist party for failing to implement the civil rights and liberties that were formally proclaimed by the Soviet authorities, yet eschewed in practice. The latter movement intensified after the conclusion of the 1975 Helsinki Final Act of the Conference on Security and Cooperation in Europe (CSCE). Some of these activists created the so-called Ukrainian Helsinki Group determined to monitor the compliance of the Soviet government to the human and civil rights it committed to respect in Helsinki, only to be persecuted and imprisoned shortly thereafter.

The ascendance of Gorbachev to the top leadership position in the USSR in 1985 led to the release of the political prisoners allowing them to continue their work on unsettling the power monopoly of the Communist party in the now increasingly more open public sphere. As in many other Soviet republics, Ukraine's incipient political opposition during the *perestroika* years combined the yearning for greater democratization with calls for national self-determination and political independence from Moscow. The core of their leadership comprised of political dissidents, as well as the literati circles, such the Ukrainian Writers Union, which had been allowed to wage its modest battle for Ukrainian language and cultural autonomy from within the system. Congealing by the late 1980s, these Ukrainian opposition groups, like the dissident movement upon which they drew, combined the civic and nationalist agenda earning them a general designation of 'national democrats.' Not surprisingly, the core of popular support for their political project, which included a full independence from Moscow, came from Western Ukraine.

By the end of 1989, the Ukrainian national-democratic opposition emerged as a political force consisting of a half-dozen parties and movements, the most prominent of which were Popular Movement for Perestroika or *Rukh* ("movement" in Ukrainian) led by Vyacheslav Chornovil, a

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<sup>316</sup> For an example of such critique see Ivan Dzyuba, *Internationalism or Russification? A Study in the Soviet Nationalities Problem* (London: Weidenfeld and Nicolson, 1968).

journalist, civil rights campaigner, and a former political prisoner, and the Ukrainian Republican Party led by Levko Luk'yanenko, also a veteran of the Soviet gulags. As the name suggests, Rukh initially emerged in support of Gorbachev's policies of democratization and liberalization, which they mobilized to critique the crusty republican Communist party establishment. Yet soon their stated goals went far beyond those of Gorbachev reforms. Like their Baltic counterparts, Ukraine's national democrats advocated complete political independence from Moscow and staunchly opposed Gorbachev's attempts to revamp the Soviet Union through the new Union Treaty that, despite allowing greater autonomy for the republics, would preserve Moscow's core sovereign functions, such as fiscal, defense and foreign policy. The political agenda of the national-democratic opposition incorporated ethno-nationalistic concepts such as the idea of Ukrainian homeland, the right to cultural self-perseveration, as well as themes drawn inconspicuously from Western Ukrainian experience, such as f the narrative of the "return to Europe," and of forcible incorporation in the Soviet Union, with Russia representing the historical oppressor and colonial overlord.<sup>317</sup>

In the first multi-party elections in 1990, the national-democratic forces took only 24% of the seats in Ukraine's legislature, the Verkhovna Rada, with much of their electoral base in Western Ukraine and among the Kyiv intelligentsia.<sup>318</sup> Still, this was more than was mustered by their counterparts in Belarus or Kazakhstan. The Communist Party of Ukraine (CPU) continued to represent much of the remaining constituency. However, in the late 1980s, within the CPU there developed a wing, led by the speaker of the new parliament Leonid Kravchuk who favored a looser confederation with Moscow, rather than a reformed Union proposed by Soviet President Mikhail Gorbachev.<sup>319</sup> Kravchuk hailed from Volhynia, a territory that had been under the Polish rule in the interwar period. He became a member of the Central Committee of the

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<sup>317</sup> Marta Dyczok, *Movement without Change, Change without Movement* (Amsterdam: Hardwood Academic Publishers, 2000), 112; Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith*, 147–150.

<sup>318</sup> Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith*, 24.

<sup>319</sup> Valentyn Chemerys, *Prezident* (Kyiv: Sevas, 1994), 266.

CPU in 1970 responsible for ideology, and rose to head of the ideology department in 1989.<sup>320</sup> In this capacity throughout the 1980s Kravchuk came in close contact with and offered discrete support to the Ukrainian intelligentsia later to become the national-democratic forces.

Kravchuk, who would go on to become Ukraine's first president and an important personage in Ukraine's nuclear disarmament story, possessed a great skill of political maneuvering and avoidance of overt conflict. Former US President Richard Nixon, who visited Ukraine in the summer of 1991 in a private capacity came out of the meeting with Kravchuk with the following impression: "This guy is smart and he will be the type that will break up with the Soviet Union if he thinks its necessary for his survival."<sup>321</sup> Nixon also met with some former dissidents, now members of the national-democratic movement. Jon Gunderson, the first American diplomat on the ground in Ukraine, who took Nixon around reported that in front of Nixon they were debating whether Ukraine would build a Jeffersonian democracy and quoted Rousseau and Montesquieu. Nixon quickly brought the discussion down to earth: "How do you run the government?" "Who's in charge?" "Where are your alliances?" "How do you collect the garbage?" And turning to Gunderson, exasperated: "Goddamned intellectuals!"<sup>322</sup>

Nixon's intuition did not altogether deceive him, neither on the account of Kravchuk, nor on the account of national democrats. After Ukraine attained independence in August 1991, the national-democratic opposition proved inapt when it came to reforming state institutions and the economy, relinquishing the latter to the old Soviet elites who resisted painful reforms and whose muddling through plunged Ukraine into one of the worst economic crisis in world history.

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<sup>320</sup> Ibid., 250.

<sup>321</sup> Jon Gunderson, "Moments in U.S. Diplomatic History. Ukraine's Push for Independence," interview by Charles Stuart Kennedy, April 2012, Association for Diplomatic Studies and Training, <http://adst.org/2014/03/ukraines-push-for-independence/>. Jon Gunderson was a US Foreign Service officer who served as US charge d'affairs for Ukraine in 1990-1992, before the embassy was established.

<sup>322</sup> Ibid.

## Chernobyl, Declaration of Sovereignty and Nuclear Renunciation

On Saturday, April 26, 1986, after an unexpected power surge, reactor number four of Ukraine's Chernobyl nuclear power plant some 150 km north of Kyiv, exploded in flames exposing millions across eastern Europe to plumes of radioactive material. Chernobyl nuclear accident precipitated another exposure, that of the pervasive corruption of the Soviet system: its negligence that led to the explosion and the duplicity with which it handled the aftermath. Indeed, Chernobyl compounded the popular feeling of outrage and dissatisfaction with the Communist party rule in Moscow brought about by the atrophying economy, the mounting death toll from the protracted war in Afghanistan, and the increased awareness of the regime's past atrocities unveiled by *glasnost*.<sup>323</sup>

Following the Chernobyl accident, the issue of nuclear energy became an important part of the national-democratic pro-independence discourse.<sup>324</sup> This eco-nationalism, as Jane Dawson termed it, associated 'anti-nuclear' with 'anti-Soviet.' Moscow's nuclear policies were perceived as threatening the destruction of Ukraine and therefore presented not only an environmental but also a national concern.<sup>325</sup> Ukraine scholar Roman Solchanyk wrote:

For Ukrainians, Chernobyl' has [] acquired a very special symbolism. In the aftermath of the nuclear catastrophe, Ukrainian writers and journalists began to talk in terms of "a linguistic Chernobyl'" or "a spiritual Chernobyl'" when discussing the consequences of the seventy-odd years of the Soviet experiment for the Ukrainian language and culture... It [Chernobyl'] also served to mobilize large masses of people against the system.<sup>326</sup>

At the hands of national-democrats, the symbolism of Chernobyl went beyond merely civic and humanitarian terms.<sup>327</sup> References to "linguistic" and "spiritual" Chernobyl had not only an anti-

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<sup>323</sup> Catherine Wanner, *The Burden of Dreams: History and Identity in Post-Soviet Ukraine* (University Park, PA: The Pennsylvania State University, 1998), 24.

<sup>324</sup> Dyczok, *Movement without Change, Change without Movement*, 114.

<sup>325</sup> Jane Dawson, *Eco-Nationalism: Anti-Nuclear Activism and National Identity in Russia, Lithuania, and Ukraine* (Durham and London: Duke University Press, 1996), 78.

<sup>326</sup> Roman Solchanyk, "Introduction," in *Ukraine: From Chernobyl' to Sovereignty*, ed. Roman Solchanyk (London: Macmillan, 1992), xii.

<sup>327</sup> Dyczok, *Movement without Change, Change without Movement*, 114.

Soviet but also an anti-Russian connotation. Although Ukraine's national-democratic opposition emphasized that the independent Ukrainian state would be a multiethnic state built on liberal and civic, rather than ethnic principles, because of the conflation of anti-Russian and anti-Soviet sentiment, ethno-nationalist and civic agenda of the national-democrats often came into conflict.<sup>328</sup>

Ethno-nationalistic elements of the national-democrats' identity narrative did not resonate with the majority of the Ukrainian population: neither with the ethnic Russians, nor with Russian-speaking ethnic Ukrainians who remained largely ambivalent to the idea of a Ukrainian nation-state.<sup>329</sup> Nevertheless, all segments of the population shared the disgruntlement with the Soviet authorities rooted in the economic and social dysfunction of the system. Thus, against Ukraine's uneven identity landscape, Chernobyl became a banner under which all Ukrainians could be rallied towards a greater independence from Moscow on humanitarian and civic grounds.

On July 16, 1990, Ukraine joined the 'parade of sovereignties' and its legislature, the Verkhovna Rada of the UkrSSR, adopted its own Declaration of State Sovereignty. The Declaration was a significant accomplishment for the national-democratic forces, who had long been keen to follow the Baltic republics in their proclamation of sovereignty, yet it was the Russian Declaration of Sovereignty passed on June 12, 1990, that helped them overcome any remaining communist opposition in the Rada to such a move.<sup>330</sup>

Although the national-democrats held hardly a quarter of the seats in the new parliament, they were quite successful in amplifying their voice in the Rada. When the first multiparty Rada convened in May 1990, they made a concerted effort and succeeded in co-opting the more 'malleable' and sympathetic communists into their narrative of Ukrainian identity and enlisting

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<sup>328</sup> Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith*, 148.

<sup>329</sup> Ibid., 22.

<sup>330</sup> Valentyn Torba, "Narazi Ie Dvi Nebezpeky - Moskva I Oliharkhy [Today There Are Two Threats - Moscow and the Oligarchs]. Interview with Levko Luk'yanenko," *Den.kiev.ua*, July 16, 2015, <http://m.day.kiev.ua/uk/article/podrobyci/narazi-ye-dvi-nebezpeky-moskva-y-oligarhiya>.

their support for pursuit of full political independence. One of the national-democratic leaders, Levko Luk'yanenko, recalled:

At that time we – the [national-democratic opposition] – “divvied up” all communists among ourselves. We all lived in hotels and set out to “work” the communists – from the podium of the Verkhovna Rada, in the corridors, in the bathrooms, in the cafeteria, and after work we went to their hotel rooms. We grabbed a bottle of vodka or wine and held discussions until midnight. In the end, we swayed them, because they were Ukrainians and saw truth in our words. As a result – they voted for the Declaration of State Sovereignty.<sup>331</sup>

The coup of August 1991 and the ensuing banning of the Communist Party in Ukraine, precipitated the process of cooption. Although the alliance of national-democrats with ‘nationalized’ communists, many of them close to Kravchuk, was rather a marriage of convenience, it nevertheless yielded the national democrats a strong representation in the Rada committees dealing with foreign relations, defense and national security.<sup>332</sup>

The Ukrainian Declaration of Sovereignty outlined the vision of the independent and democratic Ukrainian state and proclaimed the supremacy of laws of the Ukrainian SSR over those of the USSR. It also proclaimed Ukraine’s right to build independent armed forces and conduct unmediated foreign policy, which referred not only to ‘properly’ foreign countries but also to other republics of the Soviet Union.<sup>333</sup> Given the experience and the symbolism of Chernobyl, the Declaration awarded a prominent place to environmental security and set up a commission for protecting population from radiation, banned factories that pose environmental threat and assumed responsibility for reimbursing “any environmental damages brought about by the actions of the Union institutions.”<sup>334</sup> In fact, a couple weeks after the Declaration, the Ukrainian

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<sup>331</sup> Ibid.

<sup>332</sup> Arguably, when the committee seats were doled out in the spring of 1990, the committees dealing with foreign relations and defense issues in the UkrSSR were the least significant since all of the foreign and defense policy was decided in Moscow. This suddenly changed after Ukraine became independent in August 1991. For a detailed treatment of Ukraine’s institutional dynamics in nuclear decision-making see Nadiya V. Kravets, “Domestic Sources of Ukraine’s Foreign Policy: Examining Key Cases of Policy towards Russia, 1991-2009,” Unpublished PhD Dissertation (University of Oxford, 2012).

<sup>333</sup> Verkhovna Rada of the Ukrainian SSR, *Deklaratsiia pro derzhavnii suverenitet Ukraïny [Declaration of State Sovereignty of Ukraine]*, 55-XII, July 16, 1990, <http://zakon1.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=55-12>.

<sup>334</sup> Ibid., Section VII.

parliament voted to close down Chernobyl power station and imposed a five-year moratorium on the development of atomic energy in Ukraine.<sup>335</sup>

Importantly, Section IX of the Declaration announced that the Ukrainian SSR intended “to become, in the future, a permanently neutral state, which does not participate in military alliances and adheres to three non-nuclear principles: not to maintain, produce or acquire nuclear weapons.”<sup>336</sup> This first public debut of nuclear weapons in Ukraine’s political discourse seemed almost an afterthought at the time. While the clause on the right to establish independent armed forces encountered strong opposition from the communist majority and provoked a heated debate during the parliamentary deliberations, the nonnuclear clause was rather unexpectedly proposed by one of the national-democratic leaders Ivan Drach, a former political dissident and a poet, and was included in the final reading without any major dissent.<sup>337</sup> The Declaration was passed with overwhelming majority of 355 to four.

Explaining the episode over 20 years later, Ivan Drach referred to the “post-Chernobyl mood” prevalent in those days in Ukraine and also conceded that he was asked to propose the nonnuclear clause by other MPs from the national-democratic camp.<sup>338</sup> As the nuclear debate gained prominence, the unilateral commitment to denuclearize made in the Declaration would become an important reference point. At the pinnacle of tensions that would follow, Russian

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<sup>335</sup> Verkhovna Rada of the Ukrainian SSR, *Postanova pro Moratoriy Na Budivnytstvo Novykh Atomnykh Elektrostancy Na Terytorii Ukraïnsk’koi RSR* [Resolution on the Moratorium on the Construction of New Nuclear Power Stations on the Territory of the Ukrainian SSR], August 2, 1990, <http://zakon2.rada.gov.ua/laws/show/134-12>; Susan Viets, “Ukraine Parliament Votes to Close Chernobyl,” *The Independent* (London, August 2, 1990).

<sup>336</sup> Verkhovna Rada of the Ukrainian SSR, *Deklaratsiia pro derzhavnii suverenitet Ukraïny* [Declaration of State Sovereignty of Ukraine], 55-XII.

<sup>337</sup> Verkhovna Rada of the Ukrainian SSR, “Stenohrama Plenarnoho Zasedannia. Zasedannia Shistdesiat P’iate. [Transcript of the Plenary Session. Session Sixty Five],” July 13, 1990, 26–7, <http://portal.rada.gov.ua/meeting/stenogr/show/4409.htm>.

<sup>338</sup> Ivan Drach, interview by Mariana Budjeryn, Personal interview, Kyiv, Ukraine, May 22, 2013. There is some mystery surrounding Drach’s seemingly sudden proposal of the nonnuclear clause. In my interview with him, he stated that it was another Rukh leader Vyacheslav Chornovil who approached him to propose the nonnuclear clause during the break in deliberations of the Declaration. Yuri Kostenko, also a member of Rukh, who would become a significant personage in Ukraine’s denuclearization story, maintains that it was Serhiy Holovatyy who masterminded the inclusion of the clause in the Declaration. In either case, the idea came from the national-democratic camp. See Yuriy Kostenko, “10 Mifiv pro Iaderne Rozzbroiennia Ukraïny. Mif 1. ‘Iaderne Rozzbroiennia - Initsiatyva Ukraïnskoho Narodu’ [10 Myths about the Nuclear Disarmament of Ukraine. Myth 1. ‘Nuclear Disarmament - the Initiative of the Ukrainian People’],” *Radio Svoboda*, January 14, 2014, <http://www.radiosvoboda.org/content/article/25229484.html>



and Western politicians and negotiators would cite the Declaration's nonnuclear clause to accuse Ukraine of backtracking on its commitments. For Ukrainian politicians, who defended against these accusations, the nonnuclear clause would serve as a demonstration of Ukraine's good will and as a record of its intention, but not a legal commitment.

While the rejection of both nuclear energy and nuclear weapons in the Declaration was consistent with the general anti-nuclear feeling inspired by Chernobyl, the two nevertheless had different meanings and underpinnings. While Chernobyl became the symbol of subjugation to Moscow and the issue of nuclear energy was a matter of open public discourse, there was little, if any public discussion of nuclear weapons before Ukraine's independence in August 1991. This was due to the secrecy surrounding the Soviet nuclear program, as well as the centralized structure of Soviet defense institutions: while the Union republics had their own legislatures and governments and even token ministries of foreign affairs, none of them – not even the Russian republic – had their own armed forces or a defense agency. As one Ukrainian observer put it, “there were nuclear weapons in Ukraine and at the same time it was as if there were none.”<sup>339</sup>

Among the political leaders who were aware of the nuclear weapons stationed on Ukraine's territory, a few interpreted their significance through the prism of achieving independent statehood for Ukraine. An alleged author of the nonnuclear clause, an international lawyer and a prominent Rukh member Volodymyr Vasylenko viewed the Soviet nuclear arsenal as a hindrance to the attainment of Ukraine's independence from Moscow. In a later interview to *The Financial Times* he provided the following reasons for his party's proposal to renounce nuclear weapons in the Declaration: “[Y]ou could have a nuclear force which is not tied to the Russian nuclear force, because of technology and control systems. By being a nuclear power we could not have full independence.”<sup>340</sup>

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<sup>339</sup> Yuriy Matseiko, “Do We Need Nuclear Weapons?” *Literaturna Ukraïna*, October 31, 1991.

<sup>340</sup> John Lloyd and Chrystia Freeland, “A Painful Birth,” *The Financial Times*, February 25, 1992.

Although the Declaration of Sovereignty made no mention of the NPT, Ukraine, acting out its intention to conduct independent foreign policy and distance itself from Moscow, attempted to join the treaty as a NNWS in advance of the NPT Review Conference in Geneva in August 1990. According to Ukraine's long-serving permanent representative to the UN, Victor Batiouk, the government of Ukraine made this attempt in order to provide moral support for the non-proliferation regime as well as a "convenient opportunity to remind the outer world of [Ukraine's] existence."<sup>341</sup> The request by Ukraine and Belarus, who joined Ukraine in this attempt, to join the NPT was rejected by Moscow at least in part due the fear that the participation in a major international regime by the two republics would set an undesirable precedent for the more nationalistic Baltic republics, thus exacerbating decentralizing tendencies within the Union.<sup>342</sup> The other NPT depository states, the US and the UK, chose not to challenge the Soviet position, indicating their unpreparedness to see the Union republics as independent international actors as well as their unwillingness to upset Moscow.

Following the proclamation of sovereignty, Ukraine began implementing some institutional changes associated with the sovereign function: in May 1991, for instance, it created its own Central Bank and introduced a parallel currency a month later. In November 1990, Ukraine signed a friendship and cooperation treaty with Russian SFSR emphasizing equality between the two republics, pledging to respect each other's sovereignty and inviolability of borders albeit "within the borders of the USSR."<sup>343</sup> In June 1991, Hungary and Poland opened consular mission in Kyiv.

However, no international diplomatic recognition of Ukraine's yearning for independence was forthcoming. Ukraine's national democrats who rallied for independence naturally viewed the West as an ally in their strife against the 'Evil Empire.' Yet while the proclamations in support

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<sup>341</sup> Batiouk, *Ukraine's Non-Nuclear Option*, 3.

<sup>342</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 13.

<sup>343</sup> *Treaty on the Principles of Relations between Ukrainian Soviet Socialist Republic and Russian Soviet Federative Socialist Republic*, November 19, 1990, <http://constitutions.ru/archives/3015>.

of freedom and democracy for the Soviet peoples abounded in the West, so did the fears of instability and ethnic conflict that could ensue from the Soviet disintegration. As discussed in Chapter 2, the presence of nuclear weapons in this mix only amplified these fears. To Ukraine's diplomatic overtures the US State Department unequivocally responded that the US is not ready to deal with separate republics as fully-fledged subjects of international law as long as the USSR in its present form continues to exist.<sup>344</sup>

Moreover, by 1990 the Cold War between US and USSR was effectively over. The two superpowers, led by US President Bush and Soviet President Gorbachev, developed an amicable working relationship, evidenced by unprecedented progress in START negotiations, which, after nine years, were nearing conclusion. US *charge d'affairs* in Kyiv Jon Gunderson, recalled the conventional wisdom prevalent in the Bush administration at the time: "Let's deal with the devil we know, we are getting these [arm control] agreements, let's not deal with this nationality, independence issue."<sup>345</sup> American foreign policy establishment focused overwhelmingly on Russia: when Gunderson and his colleague John Spetanchuk sent cables to Washington in 1990 and early 1991 communicating that Ukraine was very likely to move toward independent statehood, US Embassy Moscow, through which secure connection the cables were sent, would often stamp them with the comment "We do not agree with this."<sup>346</sup> Although Dick Cheney's Defense Department seemed somewhat more attentive to Gunderson's communications, the consensus in Washington gravitated toward the support for Gorbachev and the new Union treaty that would reform, but ultimately preserve the Soviet Union.<sup>347</sup>

It was through the West's lukewarm reception of Ukraine's aspirations of statehood that the Ukrainian political elites became aware that Soviet nuclear weapons on their territory, in addition

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<sup>344</sup> "Minutes of the Meeting of the Minister of Foreign Affairs of U[krainian]SSR with US Assistant Secretary of State C. Kamman in New York during the 45th Session of UN General Assembly," October 2, 1990, Fond 1, Delo 6763, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>345</sup> Gunderson, "Moments in U.S. Diplomatic History. Ukraine's Push for Independence."

<sup>346</sup> Ibid.

<sup>347</sup> Ibid.

to acting as a hindrance to Ukraine's independence from Moscow, were also a hindrance to the international support for, and eventual recognition of this independence in the world. In a speech at a conference in Munich in November 1990, one of Rukh's leaders Serhiy Holovaty denounced Moscow's "imperial policy of making the Western countries afraid... that instead of one nuclear state – the USSR – there will be fifteen new ones."<sup>348</sup> Holovaty insisted that it was not the break-up of the USSR that posed a threat but the existence of the "only remaining totalitarian empire... and the suppression of the yearning of nations for freedom and independence."<sup>349</sup> He went on to say that while the West's "concerns about security" are understandable, it was "amoral and illegal... to wish to safeguard one's own security at the expense of the rights of nations to self-determination and independence."<sup>350</sup>

On August 1, 1991, after the signing of START in Moscow, President Bush delivered a speech to the Rada that served to confirm the perceptions of Ukraine's national-democrats of US Moscow-centrism. Bush lauded the republic's drive for democratization and freedom, yet warned that:

Freedom is not the same as independence... Americans will not support those who seek independence in order to replace a far-off tyranny with a local despotism. They will not aid those who promote a suicidal nationalism based upon ethnic hatred.<sup>351</sup>

This Bush's speech was later dubbed 'Chicken Kiev' by American political commentator William Safire.<sup>352</sup> To be fair, Bush was in a tough situation: the very decision to visit Kyiv set ill with the Soviet leadership in Moscow, which sent Gorbachev's Vice-President Gennady Yanayev (who would become one of the perpetrators of the *coup* just 18 days later) to sit in on all the meetings

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<sup>348</sup> Serhiy Holovaty, "The Peaceful Disintegration of the USSR as a Guarantee of Security and Freedom in Europe" (presented at the Franz-Josef Strauss Symposium, Munich, 1990) in Bohdan Nahaylo, "The Shaping of Ukrainian Attitudes toward Nuclear Arms," *RFE/RL Research Report* 2, no. 8, (February 1993): 22.

<sup>349</sup> Ibid. in Nahaylo, 22.

<sup>350</sup> Ibid.

<sup>351</sup> Quoted in Marta Dyczok and John Rettie, "Bush Warns Ukrainians against 'Local Despotism,'" *The Guardian*, August 2, 1991.

<sup>352</sup> The speech was advised to Bush by Brent Scowcroft and written by Condoleezza Rice. Safire considered it one of the greatest blunders of US foreign policy. William Safire, "Putin Has Good Reason to Fear 'People Power,'" *The New York Times*, December 7, 2004.

between Bush and Kravchuk.<sup>353</sup> At one point, Gunderson was asked to divert Yanayev's attention with a conversation, so that Bush and Kravchuk could slip out for a private meeting, suspicions about which could have precipitate the *coup*, according to Gunderson.<sup>354</sup>

To maintain an uneasy balance, Bush refused to meet with the Rukh leaders during his stay in Kyiv. He vouched to maintain "the strongest possible relationship" with the Soviet government of Gorbachev and held out the promise of US cooperation and assistance only if Ukraine signed the new Union treaty and stayed in the Soviet Union: "[The Union treaty] holds forth the hope that republics will combine greater autonomy with greater voluntary interaction – political, social, cultural, economic – rather than pursuing the hopeless course of isolation."<sup>355</sup>

For those political forces that aspired US support for Ukraine's independence, Bush's speech came as a bitter disappointment. Commenting on it, Ivan Drach admitted that Ukraine looked up to America in order to:

...Learn its democratic traditions. It would seem from the first glance that the [US] and George Bush might be our natural allies. However, having become president, George Bush started to act as if hypnotized by Gorbachev. Bush's ties with Moscow center are especially strong.<sup>356</sup>

These initial political encounters with the US became the harbinger of what Ukrainians came to perceive as Washington's persistent Moscow-centrism, which morphed from Bush's support for Gorbachev to his successor Bill Clinton's support for Boris Yeltsin, with both tending to regard the former Soviet space through the prism of Russian interests.<sup>357</sup> This policy or Ukraine's perception of this policy would underpin much of the strain in the Ukrainian-US relations of the early 1990s.

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<sup>353</sup> Gunderson, "Moments in U.S. Diplomatic History. Ukraine's Push for Independence."

<sup>354</sup> Ibid.

<sup>355</sup> Dyczok and Rettie, "Bush Warns Ukrainians against 'Local Despotism.'"

<sup>356</sup> "Rukh Leaders on US Attitude towards Ukrainian Independence," *BBC Summary of World Broadcasts*, August 7, 1991.

<sup>357</sup> Taras Kuzio, *Ukraine under Kuchma* (New York: St. Martin's Press, 1997), 220.

Prior to Ukraine's independence, beyond the obscure failed attempt to join the NPT, there was little discussion of the treaty within Ukraine's political discourse. The post-Chernobyl anti-nuclear feeling was certainly close in spirit to the nonproliferation norm embedded in the NPT. Importantly, career diplomats such as Batiouk and Vasylenko, viewed the regime not exclusively for its norms but also as a prominent international institution, participation in which would bolster Ukraine's status as a sovereign state. Ultimately, Ukraine's unilateral rejection of nuclear armaments emerged as part of national-democrats' project to attain for Ukraine independence by severing institutional and operational controls linking it to Moscow. Ukraine's leaders also realized that fears of instability and nuclear proliferation would impede international recognition of Ukraine's independence. Beyond these rather general considerations, pre-independence Ukraine, bereft of its own military and defense agencies and unable to conduct an independent foreign policy, was not yet at a stage of formulating a nuclear policy *per se*. When Ukraine did eventually come into a fully-fledged statehood and began to consider the nuclear issue in earnest, the political commitment to become nonnuclear made in July 1990 became subject to a more nuanced treatment. Meanwhile, subjugated to the considerations of Ukraine's sovereignty and independence, the humanitarian elements of the Chernobyl-inspired anti-nuclear discourse soon dissipated and produced no concerted anti-nuclear-weapons movement going forward.

### **From Renunciation to Ownership**

The chain binding Ukraine to Moscow, of which the nuclear weapons were a perceived link, suddenly came undone in August 1991. On August 19, a group of conservative communist military and security apparatchiks carried out a *coup d'état*, imprisoning Gorbachev at his dacha in Crimea and assuming extraordinary powers in order to overcome "chaos and anarchy" that threatened the integrity of the Soviet Union.<sup>358</sup> On the same day, one of the plotters General Valentin Varennikov arrived in Kyiv and presented Kravchuk with an ultimatum: either comply

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<sup>358</sup> G Yanayev, V Pavlov, and O Baklanov, "Statement of the Soviet Leadership," *Pravda*, August 20, 1991, <http://www.souzu.info/library/other/gkchp/gkchpzaiv.htm>.

with the instructions of the putschists or the army would be sent in.<sup>359</sup> Kravchuk later recalled the meeting as follows: “I realized that I had no one to defend me, [and] sensed that armed people could walk in at any time and take me away.”<sup>360</sup> Indeed, during the *coup*, Kravchuk, the head of self-proclaimed ‘sovereign’ Ukrainian state, had only the republican police force at his disposal to protect himself and the republican institutions from the four-million-strong Soviet army under the command of the *coup* perpetrators.

Instead of holding the Union together, the ill-conceived *coup* precipitated its collapse. On August 24, the Verkhovna Rada, whose building was surrounded by thousands of people with pro-independence slogans, passed the Act of Independence of Ukraine with 321 votes in favor, 2 against and 6 abstentions. This succinct piece of legislature, the date of which enactment marked the birth of Ukraine’s statehood, did little more than effectively uphold the 1990 Declaration of Sovereignty and rename the Ukrainian Soviet Socialist Republic into “Ukraine.” The document also scheduled a national referendum to confirm the declaration of independence for December 1, 1991. Yet, more than anything, the Act conveyed the acute sense of insecurity the Ukrainian leaders felt for their country, a self-proclaimed sovereign with no means of protecting itself from the Moscow’s military might. “Proceeding from the mortal danger,” it opened, “that gripped Ukraine during the *coup d’etat* in the USSR...”<sup>361</sup>

Not accidentally, the document passed by the Rada immediately after the proclamation of independence was the Resolution on the Military Units in Ukraine, which subordinated all military formations deployed on the Ukrainian territory to the Rada and ordered the establishment of Ukrainian ministry of defense and the national armed forces.<sup>362</sup> Shortly thereafter, Ukraine also claimed state ownership of all assets, industrial and financial, on

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<sup>359</sup> Nahaylo, “The Shaping of Ukrainian Attitudes toward Nuclear Arms,” 23.

<sup>360</sup> “Interview with Leonid Kravchuk on August 30, 1991,” *Robotnycha Gazeta*, September 4, 1991.

<sup>361</sup> Verkhovna Rada of Ukraine, *Akt proholoshennia nezalezhnosti Ukraïny* [Act of Declaration of Independence of Ukraine], August 24, 1991, <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1427-12>.

<sup>362</sup> Verkhovna Rada of Ukraine, *Postanova pro viis’kovi formuvannia na Ukraïni* [Resolution on the Military Units in Ukraine] 1434-XII, 1991, <http://zakon2.rada.gov.ua/laws/show/1431-12>.

Ukraine's territory that were formerly on the USSR's balance sheet.<sup>363</sup> The problem of course was that some of these assets and military formations, including the 43<sup>rd</sup> Rocket Army and 46<sup>th</sup> Air Army, were associated with the Soviet strategic nuclear complex.

Meanwhile, the shift of political power from Gorbachev to Yeltsin meant that Ukraine had now a chance to reconstitute its relations with Moscow as a capital of the Russian Federation, a fellow aspiring democracy that was helping to bring down the Union Center. Yet what kind of fellow Russia would shape out to be was a matter of profound uncertainty. Ukraine's national democrats with their deep-seated suspicions of Russia's historical tendencies toward 'imperial chauvinism,' feared that the new Russia would be more of the old.<sup>364</sup> As if to confirm their suspicions, immediately following the coup, Yeltsin's press secretary Pavel Voshanov caused an outrage across much of the former Soviet space by circulated a statement that the Russian Federation reserves the right to revise its borders with the adjoining republics if their "relationship of alliance" with Russia ceases to exist.<sup>365</sup> Yeltsin's foreign minister Andrei Kozyrev rushed to repair the damage by assuring that Russia would pursue all territorial issues peacefully and on the basis of international norms.<sup>366</sup> Yeltsin himself, speaking to the Soviet legislature on August 27, insisted that "the Russian state has chosen freedom and democracy and will never be an empire or a big or little brother. It will be an equal among equals."<sup>367</sup>

On August 28, in order to stabilize the relations between Ukraine and Russia and negotiate the terms of disintegration of the Soviet Union, Yeltsin dispatched a delegation to Kyiv, headed by Leningrad mayor Anatoliy Sobchak and his Vice-President Alexandr Rutskoi. The negotiations produced a communiqué in which both parties "unconditionally" recognized each other's

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<sup>363</sup> Verkhovna Rada of Ukraine, *Zakon Ukraïny pro Pidpriemstva, Ustanovy Ta Orhanizatsii Soiuznobo Pidporiaduvannia, Roztashovani Na Terytorii Ukraïny* [Law of Ukraine on Enterprises, Institutions and Organizations of Union Subordination on the Territory of Ukraine], 1540-XII, September 10, 1991, <http://zakon3.rada.gov.ua/laws/show/1540-12>.

<sup>364</sup> Susan Viets, "The Soviet Union: Russians Rush to Make Friends; Ukrainian Anger," *The Independent*, August 29, 1991.

<sup>365</sup> "Yeltsin's Office: Right to 'Revise' Borders," *TASS International Service in FBIS-SOV-91-166*, August 26, 1991.

<sup>366</sup> Remnick, "Imperialistic Tendency' Of Russia Stirs Concern."

<sup>367</sup> Michael Dobbs, "Yeltsin Promises Russia Will Not Dominate Union," *The Washington Post*, September 4, 1991.



“inalienable right to state independence” and pledged cooperation to avoid “the uncontrolled disintegration” of what was for the first time described as the ‘former’ Soviet Union.<sup>368</sup> They also affirmed their adherence to the USSR’s obligations in international relations, including agreements on arms reduction and arms control, and committed to resolve all related matters through direct negotiations with former Soviet republics and members of the international community.<sup>369</sup>

The communiqué seemed to emphasize the equality of Ukraine and Russia as two sovereign states, both in their participation in post-Soviet interstate structures and in relations with the international community. Yet how such equality, which Ukraine seemed to aspire above all else, should be interpreted in relation to Soviet arms control obligations was not spelled out. Nor was it clarified how Soviet nuclear command and control fit into the world without the Soviet Union. These issues were too big to decide in the communiqué and the parties simply kicked the can down the road agreeing to abstain from making “unilateral decisions on military-strategic issues.”<sup>370</sup>

At the same time, the question of the fate of Soviet nuclear arsenal were more pressing than ever before. In Ukraine’s political discourse the differences of opinion about the fate of its nuclear inheritance began to emerge immediately after the proclamation of independence. On the one hand, the speaker of the Rada Kravchuk, in a press conference that followed the signing of the communiqué, told journalists that even though the USSR had ceased to exist, President Gorbachev would continue to control nuclear forces until the republics had decided on a new command structure, asserting that he “was not worried” if the weapons ended up in Russia.<sup>371</sup> On the other hand, Rukh’s leader Chornovil, Kravchuk’s future contender for the presidential

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<sup>368</sup> “Russian Ukrainian Communiqué on Bilateral Relations” (BBC Summary of World Broadcasts, August 30, 1991), Lexis-Nexis.

<sup>369</sup> Ibid.

<sup>370</sup> “Russian Ukrainian Communiqué on Bilateral Relations.”

<sup>371</sup> Quoted in Nahaylo, “The Shaping of Ukrainian Attitudes toward Nuclear Arms,” 24.

seat, in an interview to *The Washington Post* voiced concerns about Russian transferring nuclear weapons to Russia and suggested that instead they should be placed under the UN control.<sup>372</sup>

However, following the August coup, President Yeltsin on a couple of occasions publically stated that the way to deal with the former Soviet nuclear arsenal was to have all weapons transferred from non-Russian republics to Russia.<sup>373</sup> Subsequently, reports emerged that the Soviet military began the transfer of tactical nuclear weapons from Ukraine's territory without any consultations with the Ukrainian leadership.<sup>374</sup> While these moves were given official footing with the announcement of the US-Soviet PNIs in September-October 1991, for the Ukrainian leadership after the declaration of independence and subordination of armed forces to the Rada, the withdrawal of tactical weapons from its territory by the Soviet military without consultations with Ukraine amounted to intrusion into the country's internal affairs.

In an apparent reaction to the Russian statements and reports of transfers, Chornovil further elaborated his position on nuclear weapons in a statement circulated on September 10, where he rejected Yeltsin's idea that the republics should hand over their nuclear arms to Russia. While upholding Ukraine's commitment to denuclearize in keeping with the Declaration of Sovereignty, he claimed that Ukraine, "like Russia and Kazakhstan and other republics" is "the rightful heir to all material and technical resources, including weapons, of the former Soviet Union."<sup>375</sup> He thought it "odd" that the question should be raised in terms of one state transferring its nuclear arsenal to another:

The question of establishment of the armed forces of Ukraine, [and all] issues pertaining to nuclear weapons must be decided through treaties and agreements between nuclear states. This is precisely the route

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<sup>372</sup> Peter Maass, "Ukrainian Leader Wants Soviet Nuclear Weapons Out," *The Washington Post*, August 30, 1991. In the same interview, Chornovil said that the Soviet military had already begun the transfer of the weapons to Russia.

<sup>373</sup> "Yeltsin Offers to Transfer Nukes from the Ukraine to Russia."

<sup>374</sup> Maass, "Ukrainian Leader Wants Soviet Nuclear Weapons Out."

<sup>375</sup> "Vyacheslav Chornovil pro bez'iadernyi status Ukraïny [Vyacheslav Chornovil on the Non-Nuclear Status of Ukraine]," *Molod Ukraïny*, September 12, 1991.

Ukraine will take toward the gradual and complete elimination of its nuclear arsenal.<sup>376</sup>

Meanwhile, the existence of the nuclear weapons in Ukraine and its aspiration of nonnuclear status would serve as a good incentive for “prompt resolution of the question of the establishment of its [conventional] armed forces, as well as for international recognition of Ukraine – a founding member of the UN – as an independent state and a fully-fledged subject of international law.”<sup>377</sup>

It may seem remarkable that the statements so insistent on Ukraine’s right to nuclear inheritance, should come from the same political force that was the author of nuclear renunciation a little over a year before. Yet it becomes less puzzling when interpreted in the context of securing Ukraine’s statehood and constructing its sovereignty, to which, for Ukraine’s national democrats, all considerations of nuclear weapons became subordinated. Chornovil’s statement reflected the prevalent position on nuclear weapons across the entire pro-independence political spectrum, from ‘nationalized’ communists to radical nationalists. In an interview to *The Guardian*, deputy Rada speaker Ivan Plushch, a close Kravchuk ally, declared: “We’re categorically against dismantling nuclear warheads. If we say ‘Take them away’, where will they go? To Russia? Why should they?”<sup>378</sup> In the same article, a prominent member of Rada’s democratic opposition Volodymyr Filenko confirmed that most MPs were against the transfer of nuclear weapons to Russia. This, he maintained, would upset the balance between Russian and Ukraine: “We are afraid of Russia, if you like. We’re fighting for independence from Russia. We cannot say there’s a nuclear threat, but they did recently raise territorial claims.”<sup>379</sup>

Incidentally, the opposition to the withdrawal of nuclear weapons from the Ukrainian territory also resonated with the communist majority in the Rada but precisely for the opposite reason: they saw the continued presence of Soviet nuclear arms and common control over them as a way

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<sup>376</sup> Ibid.

<sup>377</sup> Ibid.

<sup>378</sup> Jonathan Steele, “Ukraine May Backtrack on Nuclear Arms,” *The Guardian*, September 30, 1991.

<sup>379</sup> Ibid.

to preserve ties with Moscow and the former Soviet republics, and maintain a common military-strategic space. In a radio program, the leader of Ukrainian communists in the Rada Oleksandr Moroz stated that it was “normal” for the nuclear weapons to remain on Ukraine’s territory under the command of the former Soviet SF and drew parallels with the NATO dual-key control arrangement.<sup>380</sup>

Meanwhile, securing diplomatic recognition from the wider world, most importantly from the West, became the main focus of the young Ukrainian state, to which end Kravchuk embarked on a trip to North America and France at the end of September 1991.<sup>381</sup> In his address to the UN General Assembly, he reassured the world of Ukraine’s commitment to join the NPT and said that the destruction of Ukraine’s nuclear weapons was only a matter of time.<sup>382</sup> However, he stressed that Ukraine wished “to become directly involved in the disarmament negotiating process.”<sup>383</sup> Despite Kravchuk’s assurances, the tour did not yield an avalanche of diplomatic recognitions. Rather, the American reception was that of polite reservation and curiosity, according to Ukraine’s Foreign Minister Anatoliy Zlenko, who accompanied Kravchuk on his trip.<sup>384</sup> The British also took a cautious stance: to Ukraine’s request sent on August 30, British Prime Minister John Major replied that, while the UK supported Ukraine’s right to self-determination, the recognition would not be forthcoming until the nature of relations between the constituent Soviet republics, as well as questions of control over armed forces were settled.<sup>385</sup>

Indeed, Chornovil’s supposition that the existence of nuclear arms on Ukraine’s territory would somehow precipitate its international recognition could not have been further from reality. The US and its NATO allies made it explicit that diplomatic recognition was contingent on the

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<sup>380</sup> Radio Kyiv, September 12, 1991, in Nahaylo, “The Shaping of Ukrainian Attitudes toward Nuclear Arms,” 26.

<sup>381</sup> Ibid., 27.

<sup>382</sup> Ibid.

<sup>383</sup> Quoted in *ibid.*

<sup>384</sup> Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 239.

<sup>385</sup> “Letter of British Prime Minister John Major to the Speaker of the Verkhovna Rada of Ukraine Leonid Kravchuk,” October 12, 1991, Fond 1-P, Opis 1, Delo 2102, Central State Archive of Ukraine.

preservation of a single nuclear command and control exercised either by a revamped Union, as Gorbachev had hoped, or by Russia alone. In any case, the Western position was that no new nuclear states must emerge from the Soviet collapse. US Secretary of State James Baker directly admitted that diplomatic recognition was a powerful political card, which the US intended to play “only when we had received specific assurance from each republic on issues such as nuclear command and control.”<sup>386</sup>

To address Western concerns, on October 24, 1991, the Rada issued a statement aptly named “On the Nonnuclear Status of Ukraine.”<sup>387</sup> Stressing the need to strengthen the international nonproliferation regime, the Rada reaffirmed Ukraine’s commitment to denuclearize and join the NPT as a non-nuclear state.<sup>388</sup> It maintained that the presence of nuclear arms on Ukraine’s territory was temporary and confirmed that they were under the control of the “respective structures of the former Soviet Union.”<sup>389</sup> However, even this document designed to abate Western fears of proliferation and gain diplomatic recognition contained the tensions inherent in Ukraine’s new stance toward its nuclear predicament. The Rada asserted Ukraine’s right to control the non-use of nuclear arms on its territory.<sup>390</sup> In addition, it envisioned Ukraine’s disarmament as a two-stage process. First, Ukraine upheld its commitment to START as a legal successor of the USSR, and was prepared to start negotiations with Russia, Belarus and Kazakhstan, as well as the “respective structures” of the former USSR on the destruction of the strategic offensive nuclear armaments covered by that treaty.<sup>391</sup> As for the remainder of nuclear armaments, Ukraine was committed to their complete dismantlement, which would be

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<sup>386</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 560.

<sup>387</sup> The work on the draft Statement commenced at the Rada foreign relations committee already in early September.

<sup>388</sup> Verkhovna Rada of Ukraine, *Zaiava pro Bez’iadernyi Status Ukrainy* [Statement on the Nonnuclear Status of Ukraine], 1697-XII, October 24, 1991, <http://zakon2.rada.gov.ua/laws/show/1697-12>.

<sup>389</sup> Ibid.

<sup>390</sup> Ibid.

<sup>391</sup> Ibid.

negotiated separately with the “interested parties” through existing multilateral mechanisms in disarmament.<sup>392</sup>

Thus, in the fall of 1991, the question of nuclear weapons had undergone a remarkable transformation in the Ukrainian political discourse. It was during this critical period of uncertainty and change that the claim to ownership of nuclear arms on Ukraine’s territory was first formulated. Importantly, it emerged not as a way to exert financial and political concessions from the West, but as part of Ukraine’s attempt to negotiate a post-Soviet settlement, in which it aspired full sovereign equality with Russia, as a Soviet successor state. Apprehensive of Russia’s reemerging from the Soviet collapse as a dominant force in another guise, Ukraine’s national democrats and their allies insisted that this equality should obtain in all aspects of Soviet inheritance, including nuclear weapons. Subsequently, Ukraine’s repeated demands of *de jure* recognition of its right to ownership of the nuclear weapon more than any other issue complicated Ukraine’s nuclear disarmament, infuriated Russia and alarmed the West. Most of the time misconstrued as Ukraine’s unilateral claim to nuclear status, it landed Ukraine accusations of nuclear backsliding. Importantly, it became difficult to reconcile with the language and prescriptions of the NPT.

#### *CIS: Collective Insecurity*

The final blow to the still *de jure* existing USSR was dealt by the December 1, 1991 referendum in which 90% of Ukraine’s population voted in support of the republic’s independence and at the same time elected Speaker Kravchuk to the newly established post of the President of Ukraine. Even the Donbas mining region and the Crimean peninsular, both homes of a substantial Russian ethnic population, voted in favor of independence, albeit with narrower margins.

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<sup>392</sup> Ibid.; Interestingly, the initial draft of the Statement contained no provisions for a staged process, but simply pledged to join the NPT after all “mobile” and “stationary” nuclear devices, currently subordinated to the former Soviet Ministry of Defense, left its territory. Committee on Foreign Relations of the Verkhovna Rada of Ukraine, “Proekt. Zaiava pro bez’iadernyi status Ukraïny [Draft Statement on Nonnuclear Status of Ukraine],” September 11, 1991, Fond 1-P, Opis 16, Delo 2102, Central State Archive of Ukraine.

Poland became the first state to grant Ukraine official diplomatic recognition on December 2, promptly followed by Hungary, Canada, as well as Russia and the Baltic states.

A week later, on December 8, Ukraine's new president became one of three republican leaders to sign the Belavezha Accord that dissolved the Soviet Union and created the Commonwealth of Independent States (CIS). For the US, the Ukrainian referendum and the Belavezha Accord dispelled the remaining hopes that the Union could endure and at the same time raised the issue of nuclear command and control with a new urgency. On December 18, a US delegation headed by Secretary Baker arrived in Kyiv for talks, during which the nuclear issue topped the agenda. For the Ukrainian leaders and diplomats, this December meeting became their first earnest encounter with the nuclear issue. According to foreign minister Zlenko, the US delegation delved into such technical depth of nuclear problematique that the Ukrainians could do no more than take notes and promise to come back with the answers later.<sup>393</sup> The US reiterated its position that no new nuclear states should emerge out of the Soviet collapse and that diplomatic recognition of Ukraine by the US and its NATO allies was contingent on its commitment to join the NPT as NNWS.<sup>394</sup>

Thus, despite the emerging reservations in Ukraine's nuclear stance, during the CIS meeting in Almaty on December 21, 1991, President Kravchuk signed the Almaty Agreement on Joint Measure on Nuclear Weapons, which committed Ukraine to maintaining the unified control and single command of all former Soviet nuclear armaments, to join the NPT as a NNWS, and to transfer all tactical weapons from its territory to central factory premises for their dismantlement "under joint supervision" before July 1, 1992.<sup>395</sup> In a subsequent CIS agreement, signed in Minsk

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<sup>393</sup> Zlenko, *Dyplomatiia i Polityka. Ukraina v Protsesi Dynamichnykh Heopolitychnykh Zmin* [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes], 241.

<sup>394</sup> Ibid.

<sup>395</sup> *Soglaseniie o Sovmestnykh Merakh v Otnoshenii Iadernogo Oruzhiia*. [Agreement On Joint Measures on Nuclear Weapons], December 21, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=3>.

on December 30, Ukraine committed to complete dismantlement of all nuclear armaments on its territory the end of 1994.<sup>396</sup>

As discussed in Chapter 2, the CIS nuclear arrangements were rather an exercise in preservation than in reform: they were the easiest way to rebrand the single Soviet nuclear force so as to make it politically acceptable to all CIS member states. Importantly, the CIS arrangements satisfied US demands and Washington finally extended diplomatic recognition to Ukraine on December 25, 1991. Despite all of Ukraine's proclamations and institutional changes to construct a sovereign state, the US recognition was crucial to seal this status. As Zlenko recalled: "Only after [official recognition by Washington] did we feel we were an actor which entered the global arena."<sup>397</sup>

Yet the story of former Soviet nuclear weapons was only beginning. While the CIS laid out the general framework for the post-Soviet nuclear weapons management, it left many important questions unanswered. Perhaps the most important unaddressed question, however, was whose nuclear weapons were situated on the territory of Ukraine and other non-Russian Soviet successors. Indeed, the CIS agreements exacerbated ambiguities of Ukraine nuclear status: until the nuclear weapons were removed from Ukraine's territory, it had the right to participate in the joint command of the CIS SF and was also bound by some obligations traditionally associated with the NWS under the NPT, such as no-first use principle and the commitment not to transfer nuclear weapons to other parties.

Subsequent CIS attempts to solve these tensions or to continue the operation of the SF without solving them proved unsuccessful. Ukraine challenged the overly broad definition of 'strategic forces' that was proposed by the CIS military command and refused to finance them through contributions to the CIS structure, instead preferring to finance directly only the forces located

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<sup>396</sup> *Soglasenie mezhdu Gosudarstvami-Uchastnikami Sodruzhestva Nezavisimikh Gosudarstv po Strategicheskim Silam [Agreement between Member-States of the Commonwealth of Independent States on Strategic Forces]*, December 31, 1991, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=9>.

<sup>397</sup> Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 229.



on its territory.<sup>398</sup> In general, Ukraine was exceedingly reluctant to engage in any military institutions within the CIS, other than those it absolutely had to. Thus, Ukraine would not join the Joint Armed Forces of the CIS nor the Tashkent Collective Security Treaty signed in May 1992.

Ultimately, the inaptness of the CIS stemmed from deeply divergent positions of Ukraine and Russia about its purposes and its future. The majority of the Russian leaders saw in the CIS a format to reformulated economic and political cooperation within the post-Soviet space. Many of the former Soviet and now CIS military command also preferred to see the preservation of the common military-strategic space and a single army within the Commonwealth.<sup>399</sup> Ukraine's President Kravchuk, however, had always had a reserved stance toward the CIS, which he viewed as a form of 'civilized divorce' of the Soviet republics, a temporary structure to facilitate their transition to full independence. Following the signature of the Belavezha Accord that created the CIS, Kravchuk emphasized not only economic and political but also social-psychological sense, in which the CIS was meant to cushion this transition:

We had to find a solution to avoid a drastic change for the minds of the people... [One moment] the Union exist and... [the next,] the Union is gone. And what would come in its stead?.. Had we came out [of the Belavezha meeting] and announced to the people that the Union no longer existed but offered nothing in its place – the upheaval would have been inevitable.<sup>400</sup>

Yet even this cautious stance proved too forthcoming for the Ukrainian national democrats who were wary of the CIS becoming yet another tool of Russia's domination in the region. For them, the effective preservation of the nuclear status quo under the CIS auspices came in conflict with Ukraine's attempts to construct independent armed forces and otherwise pull away from the military-strategic space dominated by Russia. The national democrats in the Rada often

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<sup>398</sup> *Soglasenie mezhdu Gosudarstvami-Uchastnikami Sodruzhestva Nezavisimikh Gosudarstv o Statuse Strategicheskikh Sil* [Agreement between Member-States of the Commonwealth of Independent States on the Status of Strategic Forces], February 14, 1992, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=32>.. Ukraine signed the agreement with the exclusion of Article 2.2 on financing.

<sup>399</sup> This is discussed in greater detail in Chapters 2 and 5.

<sup>400</sup> Chemerys, *Prezident*, 269.

questioned the competence of Kravchuk in signing the early CIS agreements and repeatedly demanded that the accords be submitted to the legislature for ratification. Of the CIS documents, the Rada ratified only the Belavezha Accord, and even that with extensive reservations that emphasized obligations of the parties to respect existing borders and their right to establish independent armed forces.<sup>401</sup> Sensing a political minefield, Kravchuk, never submitted the Almaty Agreement on Joint Measures to the Rada for ratification, which later gave rise to disputes over its legally binding nature. The subsequent CIS agreements, including the Minsk agreement, fashioned themselves as intergovernmental, not international, stipulating their own validity as of the date of signing and requiring no ratification, once again raising accusations by the Rada that the President had overstepped his mandate.

Rada's emerging position was that, pursuant to its August 1991 decision to subordinate all military units, Ukraine *de jure* was already in control of *all* military units on its territory, including strategic forces. It was only out of a technical and political necessity that Ukraine *chose* to subordinate these forces to the CIS command. Yet even these temporary arrangements were unsatisfactory as they effectively put some elite military units associated with strategic forces effectively under Russian command. Furthermore, Ukraine's national democrats opposed any idea of a post-Soviet collective security system with Russia at the helm, and yet the CIS nuclear arrangements seemed to have tied Ukraine into just such a system. One solution to this predicament was to exit it by denuclearizing quickly, which seemed to have been the rationale behind the 1994 deadline in the Minsk agreement. Another solution was to assert greater independent control over the strategic forces and it was that latter option that the Rada began to favor early in 1992.

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<sup>401</sup> Verkhovna Rada of Ukraine, *Postanova pro Ratyfikaciiu Uhody pro Stvorennia Spivdruzhnosti Nezaleznykh Derzhav* [Resolution on Ratification of Agreement on Establishment of the Commonwealth of Independent States], December 10, 1991, <http://zakon3.rada.gov.ua/laws/show/1958-12>.

### *Establishing Military Sovereignty*

The establishment of Ukraine's national armed forces commenced immediately following the August 1991 declaration of independence. But the task before Ukraine was monumental and the presence of nuclear arms only complicated matters. At the time of the Soviet collapse almost one million Soviet troops were stationed in Ukraine, many of whom hailed from other republics and eventually chose to return home.<sup>402</sup> Those who chose to stay, plus the returning Ukrainian troops that served elsewhere in the Union as well as in the Warsaw Pact countries, far exceeded the 200,000-300,000 Ukraine determined it needed for defense.<sup>403</sup> Amid the high political uncertainty and increasing economic hardship that followed the Soviet collapse, the loyalty and morale of the troops, especially the officer corps, was an ongoing battle for the Ukrainian government and the presence of strategic forces troops subordinated to the CIS and not directly to the Ukrainian defense ministry only complicated matters.

The tensions between Ukraine's push to create independent armed forces and the necessity to preserve single nuclear command and control came to the fore still before the creation of the CIS. On October 21, 1991, the Rada Security and Defense Committee held an important meeting where newly appointed Defense Minister Colonel-General Konstantyn Morozov presented a five-year plan for establishing the national armed forces. The plan provided for a phased transformation of the Union army that would yield a fully independent Ukrainian military sometime in 1996.<sup>404</sup> The Soviet nuclear forces on Ukraine's territory and their subordination

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<sup>402</sup> The number oscillates between 700,000 and 1,000,000. The latter number was mentioned during the Rada defense and security committee meeting in October, 1991, "Protokol no. 7. Zasedannia komisii Verkhovnoi Rady Ukraïny z pytan' natsionalnoi bezpeky i oborony [Protocol no 7. Meeting of the Defense and Security Committee of the Verkhovna Rada of Ukraine]," October 21, 1991, Fond 1-P, Opis 1, Delo 2179, Central State Archive of Ukraine.

<sup>403</sup> The estimates of the size of Armed Forces Ukraine intended to maintain varied at the time. In January 1992, Kravchuk announced that the number would be 220,000. See Aleksey Petrunya, "Kravchuk on Crimea, Nuclear Arms," *TASS in FBIS-SOV92-17*, January 24, 1992.

<sup>404</sup> "Information Memorandum for Brent Scowcroft from Ed A. Hewett, Ukrainian Approach to Defense Matters," November 8, 1991, National Security Archive, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB447/1991-11-08%20Information%20Memorandum%20for%20Brent%20Scowcroft%20from%20Ed.%20A.%20Hewett,%20Ukrainian%20Approach%20to%20Defense%20Matters.PDF>.

emerged as the most crucial question during the discussions. Morozov maintained that these forces and the elaborate infrastructure associated with them were intricately integrated into the centralized Soviet strategic defense system and could not function autonomously. Therefore, he supported the concept of joint strategic command with the former Soviet republics. This would not run counter to Ukraine's commitment not to possess nuclear armaments, since they would not be operationally part of its national armed forces. Thus, according to Morozov, Ukraine should join the NPT and agree to the IAEA safeguards as early as 1992.<sup>405</sup> Meanwhile, the bulk of nuclear arms would be dismantled within a 7-year period as provided by START and, as for the rest, Ukraine would simply choose not to replace them as their service life ran out. This way, in about 10 years Ukraine would become nuclear-free.<sup>406</sup>

Many committee members, however, disagreed that some of the most sophisticated military assets should be left out of the national armed forces. Rukh member Ivan Zayets underscored that nuclear warheads were only “an attachment” to strategic defense capabilities, to which Ukraine had a right as a successor of the Soviet Union.<sup>407</sup> At the same time, Zayets opposed the idea of a collective security system with Russia:

The system of collective security must be based only on common interests. The interest of Russia and our interests today do not coincide... Therefore, I am very much troubled by this collective security system, especially when it concerns the nuclear forces. I am afraid that because of [it] we will lose the opportunity to integrate ourselves into the world economy and world civilization.<sup>408</sup>

A radical nationalist Stepan Khmara went as far as to call the concept of joint strategic forces “a cross on Ukraine's independence” and called for Ukraine to retain strategic forces as part of its national military.<sup>409</sup> The Committee meeting concluded by declaring its support for Ukraine becoming “eventually” a non-nuclear state, however, it found Morozov's “evolutionary”

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<sup>405</sup> Ibid.

<sup>406</sup> “Protokol no. 7. Zasedannia komisii Verkhovnoii Rady Ukraïny z pytan' natsionalnoii bezpeky i oborony [Protocol no 7. Meeting of the Defense and Security Committee of the Verkhovna Rada of Ukraine].”

<sup>407</sup> Ibid.

<sup>408</sup> Ibid.

<sup>409</sup> Ibid.

approach toward the construction of the national armed forces unacceptable and urged the Ministry to switch to the “revolutionary” mode.<sup>410</sup>

Consequently, the Rada and the Ministry of Defense embarked upon a feverish to lay the institutional groundwork for the national army. In early December 1991, the Rada hurriedly passed a whole package of laws regulating the establishment and social protection for Ukrainian armed forces, as well as the text of its own military oath.<sup>411</sup> Ukraine’s Defense Minister Morozov was the first to take the oath right in the Rada session hall on December 6, 1991, the day it was approved. On December 12, however, in order to reconcile the process of the establishment of the national army with Ukraine’s anticipated participation in the CIS strategic structures that would become formalized in the Almaty and Minsk agreements, President Kravchuk issued a decree that specifically excluded Strategic units from Ukraine’s army building efforts.<sup>412</sup>

Yet even with the subordination of SF to the CIS, Ukraine’s resolute moves toward military independence came in conflict with countervailing preference of the former Soviet military brass, now refashioned as the CIS Joint Armed Forces (JAF) command, to preserve a single post-Soviet military-strategic space. In January 1992, the Rada Defense and National Security committee recorded that Ukraine’s efforts to establish an army were being meet with “insane resistance” from the ex-Soviet defense establishment and the Russian media.<sup>413</sup> The commission issued a statement rejecting allegations that Ukraine was forcing military personnel to take Ukrainian oath as Soviet-style fact twisting and attempt to “muddy the waters” and stated that as

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<sup>410</sup> Ibid.

<sup>411</sup> Verkhovna Rada of Ukraine, *Postanova pro tekst Viis'kovoï Prysiahy [Resolution on the Text of Military Oath]*, December 6, 1991, <http://zakon2.rada.gov.ua/laws/show/1936-12>; Verkhovna Rada of Ukraine, *Zakon Pro Viiskovi Syly Ukraïny [Law on Armed Forces of Ukraine]*, December 6, 1991, <http://zakon4.rada.gov.ua/laws/show/1934-12>; Verkhovna Rada of Ukraine, *Zakon pro Social'nyi i Pravovi Zakhyst Viis'kovsluzhbentsiv na Chleniv Iikh Simei [Law on Social and Legal Protection of Military Servicemen and Members of their Families]*, December 10, 1991, <http://zakon4.rada.gov.ua/laws/show/2011-12>.

<sup>412</sup> President of Ukraine, *Ukaz pro Zbroini Syly Ukraïny [Decree on Armed Forces of Ukraine] No. 4/91*, December 12, 1991, <http://zakon2.rada.gov.ua/laws/show/4/91>.

<sup>413</sup> “Statement of the Commission on Defense and National Security of the Verkhovna Rada of Ukraine,” January 17, 1992, Fond 1-P, Opis 1, Delo 2190, Central State Archive of Ukraine.

of mid-January some 270,000 freely chose to take the oath.<sup>414</sup> The commission asserted Ukraine's right to armed forces is an "inalienable attribute of statehood" and called on officers and military personnel not to "succumb to provocations at this difficult time."<sup>415</sup> By April 1992, however, about 12% of the officer corps in Ukraine still had not taken the Ukrainian oath.<sup>416</sup>

While the subordination of the Strategic forces was temporarily settled by the CIS arrangements, the subordination of the Black Sea Fleet (BSF) emerged as the focus of intense contestation between Ukraine and Russia in early 1992. The BSF, historically a Russian and then Soviet fleet, was based in Crimea in a closed port city of Sevastopol that enjoyed a special administrative status within the USSR. Despite being given autonomy within Ukraine, Crimea had weak loyalties to the new Ukrainian state and it developed a separatist movement that was rapidly becoming a problem for Kyiv. Crimean separatists sought a referendum to cede from Ukraine and their efforts were not so subtly supported by Russia, which was particularly reluctant to see the region it considered historically Russian now 'trapped' within independent Ukraine. For Ukraine, however, the presence of the Russian fleet in Crimea increased the chance of losing the peninsula altogether.

Already in January 1992, President Kravchuk announced that Ukraine would not relinquish its intention to be a naval power and planned to subordinate the larger portion of the BSF.<sup>417</sup> Since the BSF operated nuclear propulsion submarines, Defense Minister Morozov, tasked by the President with determining which vessels should be transferred to the CIS command, stated that Ukraine would keep only the non-nuclear part of the fleet.<sup>418</sup> These declarations were followed

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<sup>414</sup> Ibid.

<sup>415</sup> Ibid.

<sup>416</sup> See address of Defense Minister Morozov to the Rada Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Tretie [Transcript of the Plenary Session. Session Forty Three]," April 8, 1992, 58, <http://portal.rada.gov.ua/meeting/stenogr/show/4700.html>.

<sup>417</sup> "Kravchuk Stresses Claim to Black Sea Fleet," *Radio Kiev in FBIS-SOV92-22*, January 30, 1992.

<sup>418</sup> President of Ukraine, "Directive on ensuring the implementation of agreements reached during the meeting of the CIS heads of state in Moscow on January 16, 1992," January 30, 1992, Fond 1, Delo 7063, Archive of the Ukrainian Ministry of Foreign Affairs; "Legal Basis' for Keeping Crimea," *AFP in FBIS-SOV92-17*, January 24, 1992.

by attempts to administer Ukrainian military oath to those BSF servicemen willing to take it. However, these efforts met a formidable resistance of the BSF commander Admiral Igor Kasatonov. On January 29, 1992, Kasatonov refused to receive the delegation of the Rada MPs and officials of the Ukrainian Ministry of Defense that was dispatched by Kyiv to explain Ukraine's new legislature on armed forces.<sup>419</sup> Humiliatingly, the delegation waited for over two hours at the gates to the fleet's headquarters and had to turn back with nothing, prompting Kravchuk to write an indignant letter to Shaposhnikov, demanding Kasatonov's removal.<sup>420</sup>

Overlapping chains of military command and conflicting loyalties continued to reverberate through the military on the whole. In one incident, on February 13, 1992, six SU-24M bombers were flown out of Ukraine's Starokonstantinov airbase to Belarus, allegedly for combat training, and then to Russia, never to return. In a telegram to Yeltsin, Kravchuk maintained that this was a premeditated and well-planned subversion organized by the officers of the airborne division and requested that the airplanes, the perpetrators and the division flag they took with them were returned to Ukraine, which they never were.<sup>421</sup> At the same time, reports began to emerge that some of the bases under the CIS command had been looted, their property sold off under the table.<sup>422</sup> For the Ukrainian leadership, these incidents highlighted the need to speed up the process of establishing command and control over their own armed forces.

#### *Halt of Tactical Nuclear Weapons Transfers*

The tensions between Russia and the CIS command, on the one hand, and Ukraine, on the other, came to a head in March-April 1992 and precipitated a series of developments that set the

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<sup>419</sup> "Letter of President L. Kravchuk to General Commander of the Armed Forces of the CIS Marshal E. Shaposhnikov," February 1, 1992, Fond 5233, Opis 1, Delo 76, Central State Archive of Ukraine.

<sup>420</sup> Ibid.

<sup>421</sup> "Telegram of President L. Kravchuk to President B. Yeltsin," February 17, 1992, Fond 5233, Opis 1, Delo 76, Central State Archive of Ukraine.

<sup>422</sup> For instance during a Rada session in April, MP V. Yatsuba reported the degradation of a base near the town of Krynychky in Dnipropetrovsk oblast in Eastern Ukraine and the looting of surface-to-air anti-aircraft cruise missiles "ZUR" stationed there. Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Tretie [Transcript of the Plenary Session. Session Forty Three]," 88.

stage for Ukraine's denuclearization going forward. On March 12, 1992, President Kravchuk announced the suspension of the transfer of tactical nuclear weapons to Russia, declaring that Ukraine had no guarantee that the weapons given over to Russia were being destroyed.<sup>423</sup> The Soviet, and then Russian military had been transferring tactical nuclear weapons out of Ukraine since September, perhaps earlier, and by the time Kravchuk announce the halt, some 57% of tactical nuclear weapons had been already moved to Russia.<sup>424</sup> The announcement met an equivocally negative reception in both Russia and the US.<sup>425</sup> Yet Kravchuk defended the decision as serving the purpose of nonproliferation: "To transfer nuclear weapons from one country to another does not lead to the reduction of [nuclear] armaments in the world. The main [objective of the transfer] should be to destroy the warheads," he told a press conference.<sup>426</sup>

However valid the verification concerns might have been, it was certainly not the full story. In a tug-a-war between Moscow and Kyiv over the control of armaments and subordination of troops, Ukraine's announcement of the halt in withdrawal of tactical nuclear weapons was meant to leverage the assertion of Ukraine's control over military installations on its territory on the whole. On April 5, 1992, President Kravchuk issued a decree "On Urgent Measures regarding the Establishment of the Armed Forces of Ukraine," which cited the interference of the CIS command in Ukraine's internal affairs and formally launched the formation of the Ukrainian Navy on the basis of the BSF.<sup>427</sup> The decree also ordered the defense ministry to establish

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<sup>423</sup> Serge Schmemmann, "Ukraine Halting A-Arms Shift to Russia," *The New York Times*, March 13, 1992.

<sup>424</sup> Ibid.

<sup>425</sup> Jeffrey R. Smith and David Hoffman, "U.S. Protests Interruption in Moving Ukrainian Arms; Kiev Cites Russian Stance on Destruction," *The Washington Post*, March 14, 1992.

<sup>426</sup> "Transcript of Press Conference of President L. Kravchuk to foreign press," April 28, 1992, 5233, Ukrainian National State Archive. [clean up!]

<sup>427</sup> President of Ukraine, "Decree On Urgent Measures regarding the Establishment of the Armed Forces of Ukraine", April 5, 1992, <http://zakon2.rada.gov.ua/laws/show/209/92>; The clause on the Navy was suspended by another presidential decree 5 days later, pending the Ukrainian-Russian negotiations on the division of the BSF, President of Ukraine, "Decree on Delegation of Ukraine to the Negotiations with the Russian Delegation", April 10, 1992, <http://zakon2.rada.gov.ua/laws/show/235/92>.



“direct” control over all armed forces on Ukraine’s territory, and “administrative control” over Strategic forces.<sup>428</sup>

In a telegram to his CIS counterparts, Kravchuk explained that the move was precipitated by the “sharply deteriorating situation in the Republic of Crimea and the Black Sea Fleet,” brought about by the constant intrusion of General Shaposhnikov and certain Russian leaders into Ukraine’s internal affairs.<sup>429</sup> Among those, Kravchuk listed the visit of Russia’s Vice-President Aleksandr Rutskoi to Sevastopol on April 3-5 and his statements “directed against the sovereignty and territorial integrity of Ukraine.”<sup>430</sup> Indeed, Rutskoi, who arrived in Crimea ostensibly to discuss military welfare issues, ended up delivering a fiery address to the BSF troops, voicing support for Crimea’s succession from Ukraine, claiming that the BSF had always been and always would be part of the Russian Navy and presiding over the raising of the Russian St. Andrew’s naval flag. The transcript of Rutskoi speech was forwarded to the CIS leaders together with a copy of Kravchuk’s decree.<sup>431</sup>

On April 7, tensions rose to a new level when Russian President Yeltsin responded by issuing a decree subordinating the BSF to the Russian Federation.<sup>432</sup> On the same day, the BSF vessels commanded by troops loyal to Russia blockaded the naval base assigned to be the headquarters of the Ukrainian portion of the BSF. On April 9, the Rada Presidium issued a resolution, condemning Russian President’s decision and Shaposhnikov’s moves to implement it, as an unlawful intrusion in Ukraine’s internal affairs.<sup>433</sup> On the same day, the Rada proceeded to adopt

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<sup>428</sup> President of Ukraine, “Ukaz pro nevidkladni zakhody po budivnytstvu Zbroinykh Syl Ukraïny [Decree On Urgent Measures regarding the Establishment of the Armed Forces of Ukraine].”

<sup>429</sup> “Telegram of President L. Kravchuk to the Heads of Commonwealth States,” April 5, 1992, Fond 5233, Opis 1, Delo 42, Central State Archive of Ukraine.

<sup>430</sup> Ibid.

<sup>431</sup> “Telegram of Ukrainian President L. Kravchuk to the Ministry of Foreign Affairs of the Republic of Belarus,” April 8, 1992, Fond 968, Opis 1, Delo 4170, List 166-172, National Archive of the Republic of Belarus.

<sup>432</sup> President of the Russian Federation, *Ukaz O Perekhode Pod Iurisdiksiiu Rossiiskoi Federatsii Chernomorskogo Flota* [Decree on Transfer of the Black Sea Fleet under the Jurisdiction of the Russian Federation] No.375, 1992, [http://www.lawrussia.ru/texts/legal\\_555/doc555a728x544.htm](http://www.lawrussia.ru/texts/legal_555/doc555a728x544.htm).

<sup>433</sup> Presidium of the Verkhovna Rada of Ukraine, “Postanova Pro Nepravomirnist’ Diï Kerivnytstva Ob’iednanykh Zbroinykh Syl SND [Resolution on the Unlawfulness of the Actions of the Command of the Joint Armed Forces of the CIS] No.2258-XII,” April 9, 1992, Fond 1-P, Opis 1, Delo 2198, Central State Archive of Ukraine.

a resolution “On Additional Measures for Ensuring Ukraine’s Attainment of the Nonnuclear Status.” The resolution affirmed Ukraine’s “course toward peaceful cooperation with the world community, nonalignment, neutrality and adherence to the three nonnuclear principles.”<sup>434</sup> At the same time, the Rada supported President Kravchuk’s decision to halt the transfer of tactical nuclear weapons to Russia until their dismantlement could be ascertained through an “international mechanism” with Ukraine’s participation.<sup>435</sup> The Rada also tasked the government with developing technical means for ensuring the non-use of nuclear weapons deployed in Ukraine and staffing all Strategic units with the servicemen of the Ukrainian Armed Forces.<sup>436</sup> Meanwhile, the Rada recommended that the President commence negotiations with the leaders of the nuclear states regarding the “comprehensive solution of all issues pertaining to the dismantlement of nuclear armaments” on Ukraine’s territory.<sup>437</sup> Importantly, the resolution demanded that the government submit for ratification the three CIS agreements (the Almaty agreement of December 21, 1991 the Minsk agreement of December 30, 1991, and the Minsk agreement of February 14, 1992) that established and governed the post-Soviet nuclear settlement, signaling that it was not about to abdicate nuclear-decision making to the executive.

After the July 1990 Declaration of Sovereignty and the October 1991 Statement on the Nonnuclear Status, the Additional Measures Resolution became the third most important document in which the Rada expressed its stance on nuclear arms. The discussion in the Rada that preceded the adoption of the Resolution was telling about the context in which both Ukraine’s half of tactical nuclear transfers and the assertion of administrative control over strategic armaments took place, and revealed the emerging positions on the nuclear issue. The most prominent themes during the Rada deliberations were Ruskoi’s visit to Sevastopol,

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<sup>434</sup> Verkhovna Rada of Ukraine, *Postanova Pro Dodatkovy Zakhody Shchodo Zabezpechennia Nabuttia Ukrainoiu Bez’iadernoho Statusu* [Resolution On Additional Measures for Ensuring Ukraine’s Attainment of Nonnuclear Status] No. 2264-XII, 1992, <http://zakon4.rada.gov.ua/laws/show/2264-12>.

<sup>435</sup> Ibid.

<sup>436</sup> Ibid. The alternative reading of the draft Resolution required that strategic units be staffed with “citizens of Ukraine,” but was turned down in favor of “servicemen on the Ukrainian Armed Forces,” which meant that they had to be under the Ukrainian military oath, not the CIS military oath.

<sup>437</sup> Ibid.

Russia's subordination of the BSF and the persistent difficulties in wresting control over the military units on Ukraine's territory from the CIS JAF.

In his address to the Rada on April 8, defense minister Morozov attested that over the first four months of 1992 the process of establishing independent armed forces in Ukraine proved far more difficult than anticipated.<sup>438</sup> The CIS military arrangements were completely unworkable, Morozov stressed, since the senior military command of the CIS unabashedly pursued the interests of the Russian Federation, not of the Commonwealth as a whole.<sup>439</sup> Morozov noted that the CIS command attempted to impose its own very broad definition of what constituted SF, which would allow it to control some 400 regiments and division on Ukraine's territory, "including rocket forces, BSF, transport aviation, arsenals, bases, munitions caches and even 10 military sanatoriums."<sup>440</sup> Importantly, Morozov argued, Ukraine's continued participation in the CIS joint command of SF contradicted Ukraine's status as a nonaligned state.<sup>441</sup> President Kravchuk, present at the Rada session corroborated this story and used it as substantiation for his April 5 decree on Urgent Measures, whereby the Ukrainian defense ministry would maintain "administrative" control over servicemen and property of SF, while transferring operational control to the CIS on a temporary basis, until the nuclear armaments were completely deactivated and dismantled.<sup>442</sup>

In the eyes of the national democrats, the actions of the CIS military command were not only to deprive Ukraine of its rightful military assets; they were also a political ploy and a security threat. Rukh MP Mykhailo Kosiv insisted that the crux of the problem was that the continued subordination of the SF to the essentially Russian-run CIS created an opportunity for Russian "emissaries" to come peddling their political message, Rutskoi's visit to the BSF being the case in

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<sup>438</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Tretie [Transcript of the Plenary Session. Session Forty Three]," 55.

<sup>439</sup> Ibid., 59.

<sup>440</sup> Ibid., 66.

<sup>441</sup> Ibid., 65.

<sup>442</sup> Ibid., 66.

point.<sup>443</sup> Yeltsin and the Russian democrats had finally dropped their pretenses and revealed themselves for the imperial chauvinists that they really were.<sup>444</sup> Rukh MP and member of the Rada defense committee M. Porovskyi read out a Rukh statement that blamed President Kravchuk and his government for lack of resolve and ineffectual conduct of security and defense policy and proposed to raise the issue of Russia's acts of aggression at the UN Security Council.<sup>445</sup> Rukh MPs Zayets and Chornovil argued that the actions of Rutskoï and Yeltsin constituted a grave violation of Ukraine's sovereignty, since the question of jurisdiction over the BSF was inevitably tied to the question of Russian designs on Crimea as a whole.<sup>446</sup> This warranted recalling Ukraine's ambassador from Moscow as well as strengthening Ukraine's defenses along the Russian border.<sup>447</sup> According to Rukh MP I. Valenia, a missile engineer, the recent developments in relations with Russia meant that Ukraine's desired neutrality had to be buttressed by international security guarantees and its own military might, while Ukraine's nuclear armaments must be used wisely to achieve both of these goals.<sup>448</sup> Some MPs from eastern Ukraine argued for a more cautious and measured response, urging the Rada not to worsen relations with Russia by a rushed reaction to isolated moves by Russian politicians, yet against the background of Rutskoï's visit and Yeltsin's decree on BSF, these voices were markedly muted.<sup>449</sup>

Finally, Major General Volodymyr Tolubko, a member of the Rada defense and security committee, took the floor. Tolubko was a nephew of the former commander of the Soviet Strategic Rocket Forces; until 1990 he served as the commander of the 46<sup>th</sup> Rocket Division, a

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<sup>443</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Chetverte [Transcript of the Plenary Session. Session Forty Four]," April 8, 1992, 24, <http://portal.rada.gov.ua/meeting/stenogr/show/4701.html>.

<sup>444</sup> Ibid., 44–45.

<sup>445</sup> Ibid., 14.

<sup>446</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Tretie [Transcript of the Plenary Session. Session Forty Three]," April 8, 1992, 4–11, 23, <http://portal.rada.gov.ua/meeting/stenogr/show/4700.html>.

<sup>447</sup> Ibid., 4–11.

<sup>448</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Chetverte [Transcript of the Plenary Session. Session Forty Four]," 33–35.

<sup>449</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Tretie [Transcript of the Plenary Session. Session Forty Three]," 11–12, 14, 21–22.

unit associated with the ICBMs at the Pervomaysk base in eastern Ukraine and since then headed Kharkiv military university. From the Rada podium he promptly declared that correct though the declaration of the nonnuclear status was at the time, it had since proved “romantic and premature.”<sup>450</sup> Tolubko insisted that Ukraine was already a nuclear state and not only could but should retain at least the 46 SS-24s, which, he stated, were sufficient to deter any aggressor.<sup>451</sup> It was technically possible, according to Tolubko, to transfer operational control from Moscow to Kyiv “quickly and inexpensively.”<sup>452</sup> “The opinion of the leading world politicians is such that a nonnuclear state cannot expect to be treated seriously,” Tolubko declared.<sup>453</sup> Warding off objections that such Ukraine’s nuclear policy would encounter a negative reaction from the US and Europe, Tolubko stated that these states did not ask Ukraine’s permission to conduct their nuclear policies, nor should Ukraine ask theirs. The speech was greeted with an ovation.<sup>454</sup> Tolubko would become the main proponent of Ukraine’s retention of nuclear weapons and perhaps the only one to openly discuss the nuclear question in deterrence terms.

The events of March-April 1992 surrounding the BSF and tactical nuclear weapons became the first major crisis in Ukrainian-Russian relations since the Soviet collapse. The task of diffusing it went to the presidents of the two states. On April 11, Kravchuk and Yeltsin met to sign an agreement stipulating the procedure for the removal of the weapons that included specific provisions for Ukrainian observers at the demolition sites in Russia.<sup>455</sup> In a follow up negotiation on April 30, Ukraine and Russia also agreed to a “moratorium” on unilateral moves with regard

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<sup>450</sup> Verkhovna Rada of Ukraine, “Stenohrama Plenarnoho Zasedannia. Zasedannia Sorok Chetverte [Transcript of the Plenary Session. Session Forty Four],” 50.

<sup>451</sup> Ibid., 50–54.

<sup>452</sup> Ibid., 54.

<sup>453</sup> Ibid., 50.

<sup>454</sup> Ibid., 54.

<sup>455</sup> “Agreement between Ukraine and the Russian Federation Regarding the Order of Transfer of Nuclear Warheads from the Territory of Ukraine to the Central Manufacturer Bases in the Russian Federation for Their Dismantlement and Destruction,” April 11, 1992, [http://zakon2.rada.gov.ua/laws/show/643\\_016](http://zakon2.rada.gov.ua/laws/show/643_016).

to the Black Sea Fleet.<sup>456</sup> The transfer of tactical weapons subsequently resumed and was completed in time, although not uneventfully.

On May 6, the Russian government released an announcement that the last lot of tactical nuclear weapons had been removed from Ukraine, almost two months ahead of schedule.<sup>457</sup> The announcement was timed to coincide with President Kravchuk's first official visit to the US and caught Ukrainian leadership completely by surprise. Kravchuk learned about this from journalists' questions during a press conference in Washington, which resulted in much embarrassment especially following Ukraine's efforts to establish control over the transfer process.<sup>458</sup> Interestingly, another significant development overshadowed Kravchuk's US visit: on May 5, the Crimean parliament voted to declare independence, a move Kravchuk had to denounce as unconstitutional at the opening ceremony of Ukraine's first embassy in DC.<sup>459</sup>

In view of the circumstances under which the tactical nuclear weapons transfers were completed, it is doubtful whether in the spring of 1992 Ukraine had any real capacity to impede these transfers in the first place.<sup>460</sup> It is possible that the halt had been due to a planned pause in the Russian military's schedule and that Kravchuk's announcement meant to communicate that Ukraine would attempt to impede the resumption of transfers. If, however, Ukraine had no capacity to suspend the transfers, it is unclear what would bring Yeltsin to the negotiating table in April and induce him to make even token concessions by allowing Ukrainian observers at Russian demolition sites. In any case, whatever control Ukraine did have over the tactical nuclear transfers, it must have been minimal.

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<sup>456</sup> "Protocol No. 16 of the Defense and Security Committee of the Verkhovna Rada of Ukraine," June 1992, Fond 1-P, Opis 1, Delo 2190a, Central State Archive of Ukraine.

<sup>457</sup> "Ukraine Removes 'Last Lot' of Tactical Weapons," *Interfax in FBIS-SOV92-088*, May 6, 1992.

<sup>458</sup> Boris Tarasiuk, interview by Mariana Budjeryn, November 14, 2012.

<sup>459</sup> Andrey Fedyashin, "[Kravchuk] Condemns Crimean Independence," *ITAR-TASS World Service in FBIS-SOV92-088*, May 6, 1992.

<sup>460</sup> See this position elaborated in Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities*, 94–7.

Even though the episode with the tactical nuclear weapons transfer in spring 1992 was resolved relatively quickly, it would have significant reverberations on Ukraine's nuclear discourse going forward. Ukraine's lack of control over the transfer of tactical nuclear weapons from September 1991 until May 1992, and embarrassment caused by the Russian announcement of their completion, reinforced the push, by both the executive and the Rada, to establish greater control over the strategic nuclear armaments on Ukraine's territory. Following the April 5 Presidential decree, Ukraine's defense ministry established the Center for Administrative Control of Strategic Forces of Ukraine charged with the responsibility for manning and maintaining the ICMB bases. In addition, Ukraine moved to establish some share of negative control over its strategic armaments, a capacity to block a nuclear launch from its territory. According to President Kravchuk by the end of spring 1992, a certain procedure was established whereby he and the commander of the 43<sup>rd</sup> Rocket Army Colonel General Volodymyr Mikhtiuk shared a special verbally transmitted code without which the latter could not carry out any launch commands issued by Moscow.<sup>461</sup> All nuclear warheads, however, remained in the custody of the CIS-Russian military.<sup>462</sup>

The tensions between Russia and Ukraine in the spring of 1992 did not show signs of abating. On May 21, 1992, the Russian parliament passed a resolution, declaring illegal the 1954 Soviet decree ceding Crimea to Ukraine.<sup>463</sup> Russian involvement in the conflicts in Transnistria and Nagorno-Karabakh and the territorial claims emanating from Russian nationalists and communists were a far cry from Yeltsin's earlier promise that Russia would forsake imperial ambitions and was prepared to be an equal. This served to only reinforce Ukraine's claims that first emerged in the fall of 1991 about Ukraine's right to strategic armaments as a Soviet

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<sup>461</sup> "Transcript of the Interview of President L. Kravchuk to Daily Telegraph," September 22, 1992, Fond 1, Opis 16, Delo 5233, Central State Archive of Ukraine.

<sup>462</sup> Podvig, *Russian Strategic Nuclear Forces*, 24.

<sup>463</sup> Verkhovna Rada of Ukraine, *Postanova Pro Zaiavu Verkhovnoii Rady Ukraïny Stosovno Rishen' Verkhovnoii Rady Rosiï Z Pytannia pro Krym* [Resolution on the Statement of the Verkhovna Rada of Ukraine Regarding Decisions of the Verkhovny Soviet of Russia on the Issue of Crimea], 1992, <http://zakon4.rada.gov.ua/laws/show/2399-12>.

successor state, and compound it with demands of security guarantees in exchange for denuclearization.

*Lisbon: Succession without Possession*

Unsurprisingly, when Ukraine was faced with questions of succession to Soviet international obligations, including those in the realm of arms control, it insisted that it should be treated as an equal successor to the USSR on par with Russia. When the US delegation headed by Undersecretary of State Reginald Bartholomew arrived in Kyiv as part of his tour of the Soviet successor states in late January 1992, the Americans quickly understood that Ukraine would not cooperate on the implementation of START unless it was made an equal party to the treaty and its parliament is given the opportunity to deliberate and ratify it. Thomas Graham, the general counsel for the US Arms Control and Disarmament Agency (ACDA) who participated in the meetings recalled that the talks with the Ukrainians were very difficult from the beginning: not only did they want to participate in START as a nuclear state but also voiced reluctance to join the NPT as a NNWS.<sup>464</sup> Furthermore, one Ukrainian official, deputy foreign minister Boris Tarasiuk allegedly voiced the stance that Ukraine wanted to be the France of the East and France was a nuclear power.<sup>465</sup>

Despite staunch Russian objections to multilateralizing START, Washington was beginning to develop a new appreciation of the possible complexities in the post-Soviet nuclear disarmament. On March 6-10, 1992, the US Senate delegation headed by Senators Sam Nunn and Richard Lugar visited the CIS. The Senators' impressions from the meetings with the Ukrainian leaders were conflicting: they reported hearing assurances that Ukraine would denuclearize by the 1994 deadline agreed in Almaty and, at the same time, receiving "strong hints that Ukraine might assert a claim to the strategic missiles and warheads on its territory" a development that could

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<sup>464</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 134.

<sup>465</sup> Ibid.; Graham, Jr., interview.



have “profound implication for US policy with regard to the [NPT].”<sup>466</sup> The delegation also urged the Administration to shift nuclear considerations beyond bilateral US-Russian format and begin engaging with the former Soviet republics as fully-fledged sovereigns.<sup>467</sup> In addition to the congressmen, former senior US government officials, such as Richard Nixon, Henry Kissinger and Zbigniew Brzezinski who visited Ukraine in those early days of its independence, parlayed to the administration their opinion that Ukraine had an important role in the new post-Soviet order.<sup>468</sup>

Thus, in early spring of 1992, the US administration conceded the need to include the non-Russian nuclear successors into START and mounted the effort to draft and negotiate what would become the Lisbon Protocol. Yet the US insistence to include in the Protocol the commitment of Ukraine, Belarus and Kazakhstan to join the NPT as NNWSs and eliminate all nuclear weapons on their territory was, clearly, not what Ukrainian officials had in mind when they strove to make Ukraine a fully-fledged party to START. Ukraine preferred to proceed in accordance with the Rada Statement on the Nonnuclear Status, that is, to conduct arms *reductions* in accordance with START first and then negotiate the elimination of the remainder of the nuclear arsenal in return for security guarantees, technical assistance and financial compensation.<sup>469</sup> In the difficult negotiations that ensued, Ukraine put up a formidable resistance to undertaking the commitment to join the NPT and to eliminate all nuclear weapons.<sup>470</sup> These acrimonious negotiations continued up until May 23, 1992, the day on which the signing of the Protocol was scheduled to take place in Lisbon, Portugal. According to both the American and Ukrainian records, it took a very harsh and unpleasant conversation between

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<sup>466</sup> “Trip Report: A Visit to the Commonwealth of Independent States by Senator Sam Nunn (D-GA), Senator Richard Lugar (R-IN), Senator John Warner (R-VA), and Senator Jeff Brignaman (D-NM),” March 6, 1992, 18–19, National Security Archive, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB447/1992-03-6%20through%2010%20Trip%20Report,%20A%20Visit%20to%20the%20Commonwealth%20of%20Independent%20States.PDF>.

<sup>467</sup> Ibid., 3.

<sup>468</sup> Jon Gundersen, interview by Mariana Budjeryn, May 19, 2015.

<sup>469</sup> Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 344.

<sup>470</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 135.

US Secretary Baker and Ukraine's foreign minister Zlenko to 'persuade' the Ukrainians to sign.<sup>471</sup>

The Lisbon Protocol recognized that Russia, Kazakhstan, Belarus and Ukraine were equal parties to the treaty as "successor states of the [USSR]", however its Article 5 obligated the latter three countries to accede to the NPT as "non-nuclear-weapons states in the shortest possible time" and to "begin immediately to take all necessary action to this end in accordance with their constitutional practices."<sup>472</sup> Until such time, the parties committed to maintaining a single control over all former-Soviet nuclear armaments. The elimination obligation was not included in the text of the Protocol but recorded in a separate letters of the heads of non-Russian successor state that came as attachments and were considered by the US and Russian side as an integral part of the treaty. In his letter addressed to President Bush and dated May 7, 1992, President Kravchuk confirmed Ukraine's commitment to dismantle all strategic nuclear arms within the seven-year period provided by START, effectively extending the 1994 deadline stipulated for Ukraine by the Minsk agreement. However, he stated that Ukraine's disarmament would transpire with consideration of its national security interests and "within the context of the Statement on the Nonnuclear Status of Ukraine," which, as discussed earlier, was not an insignificant reference.<sup>473</sup>

Even though the Lisbon Protocol and the attached presidential letter became Ukraine first international legal commitment to denuclearize, its nuclear status pending NPT accession and the claims it could make with regard to its nuclear inheritance were left undecided. It

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<sup>471</sup> Ibid., 136; Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 346. The two accounts differ, however. Graham recalls that on hearing that Ukrainians were continuing to be difficult, Baker had telephoned Zlenko from London where he had some business before heading to Lisbon. The tenor of the conversation was such that prominent US diplomat James Timbie, who was with Baker, said he had "never heard one man speak to another in quite that way." Zlenko, on the other hand, locates the conversation in Lisbon on the day of the signing at the negotiating table when frustrated Baker in a raised voice exclaimed: "Ukraine is constantly creating trouble! It is going against the international opinion! It is blocking important negotiations! We will take appropriate measures!" [translated from Ukrainian per Zlenko's recollections].

<sup>472</sup> "Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms."

<sup>473</sup> "Letter of President L. Kravchuk to President G. Bush," May 5, 1992, Fond 5233, Opis 1, Delo 76, Central State Archive of Ukraine.

immediately became evident that Russia and Ukraine had very different opinions on this issue. The Russian foreign minister Andrei Kozyrev had attached a statement to the Lisbon Protocol in which he stressed that Russia considered Ukraine, Belarus and Kazakhstan “non-nuclear weapons states at the moment of the signing of the Protocol;” indeed, their participation in the Protocol confirmed and strengthened their non-nuclear status.<sup>474</sup> The Russian side made clear that it would condition the exchange of START ratification instruments on the non-Russian states’ accession to the NPT, which it expected to take place simultaneously with their ratification of START.<sup>475</sup> Clearly dissatisfied with the extension of the denuclearization time frame by Ukraine, Kozyrev noted that the Protocol itself (without the Kravchuk’s letter) fully corresponds to the CIS agreements on nuclear matters, in particular to the Minsk agreement with its 1994 deadline.<sup>476</sup>

The Ukrainian Ministry of Foreign Affairs (MFA) also attached a note to the Lisbon Protocol in which it aimed to undermine any special status for Russia in matters of Soviet succession. The MFA emphasized that nuclear reductions in all post-Soviet states, including Russia, should take place in a proportionate and uniform manner. It claimed that Ukraine, as one of the legal successors of the Soviet Union, had a legitimate right to possess nuclear weapons and having voluntarily renounced that right, it insisted on national security guarantees, including guarantees against the possible threat of the use of force against Ukraine on the part of any nuclear state.<sup>477</sup>

Even though Ukraine had to yield to the US and Russian pressure to undertake the NPT and full elimination commitments without obtaining any security guarantees or financial pledges in return, the Lisbon Protocol had a great significance for Ukraine in other respects. Ukraine

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<sup>474</sup> “Written Statement by the Russian Side at the Signing of the Protocol to the START Treaty on 23 May 1992 in Lisbon,” 36.

<sup>475</sup> Ibid.

<sup>476</sup> “Written Statement by the Russian Side at the Signing of the Protocol to the START Treaty on 23 May 1992 in Lisbon.”

<sup>477</sup> The content of the note was described by the chief of the MFA disarmament department Valeriy Kuchinsky in Valeriy Kuchinsky, “Za Bezpeku Bez Konfrontacii [For Security without Confrontation],” *Polityka i Chas*, no. 9–10 (October 1992): 38.

achieved its demand that START should be multilateralized, thereby becoming a fully-fledged interlocutor in the dealings that concerned nuclear weapons on its territory, rather than a footnote to the US-Russian negotiations. Furthermore, the recognition of Ukraine as a successor state of the USSR alongside Russia was a *sine qua non* in Ukraine's stance on nuclear arms and went to substantiate its claim that Ukraine was the *rightful owner* of nuclear arms on its territory, expressed in the its foreign ministry's note.

The claim would prove highly controversial: Russia treated any mention of Ukraine's rights to Soviet nuclear armaments as a unilateral declaration of its nuclear status; the US came to interpret it as nuclear bargaining and even blackmail. Yet for Ukraine, the claim to ownership was not only, not even primarily, the basis for demanding security guarantees and compensation for surrendering what it considered its rightful property. For Ukraine, the difference was of principle: it stemmed from and had bearing on the kind of post-Soviet settlement Ukraine was anxious to bring about, a settlement that put Ukraine on the map of the world and prevented Russia alone from filling the political and strategic space left behind by the Soviet Union.

### **Nuclear Ownership: Negotiating an Exception**

The signature of the Lisbon Protocol set a number of processes in motion, each beset by its own set of obstacles and each related to Ukraine's claim of nuclear ownership. First, the five parties to Lisbon Protocol began meeting regularly within the Joint Compliance and Inspections Commission (JCIC) to prepare the technicalities of START implementation. The particulars of disarmament, however, were left for Russia and Ukraine to negotiate bilaterally, no easy task given their deteriorating relations, and in particular the differences in interpretation of Ukraine's nuclear status. Second, Ukraine began dialogue with the US Safe and Secure Disarmament delegation headed by Gen.-Maj. William Burns and charged with negotiating the allocation of US technical assistance for disarmament.

Second, Ukraine also began attempts to negotiate security guarantees with the US only to find the Bush administration evasive and increasingly absorbed with the election campaign at home. In his letter to President Kravchuk dated June 23, 1992, Bush hailed the Lisbon Protocol as a “historical accomplishment” that would help Ukraine reduce “the burden” of Soviet nuclear legacy, and outlined four ways in which Ukraine’s security concerns could be addressed.<sup>478</sup> First, Bush formally reaffirmed the commitment of the US to all nonnuclear NPT member states, to seek immediate action in the UN Security Council to provide assistance to Ukraine if it becomes “the object of aggression or threats of aggression in which nuclear weapons are used.”<sup>479</sup> Second, Bush urged Ukraine to put faith in Europe’s new collective security system by participating in the Conference on Security and Cooperation in Europe (CSCE), North Atlantic Cooperation Council (NACC) and the UN, which principle of inviolability of borders helps “assure the security of all states.”<sup>480</sup> Third, Bush underscored the paramount importance of democratic political transition and economic reform and investment as a guarantee of Ukraine’s security. Finally, he offered US assistance in the development of Ukraine’s conventional armed forces “whose size, equipment, and doctrine contribute to the security of Ukraine and stability in the region.”<sup>481</sup> These were very oblique security commitments and did not satisfy Ukraine, which wanted to see more specific and robust guarantees incorporated in a high-level multilateral document, preferably involving Russia.<sup>482</sup> The US, however, refused to even discuss any security guarantees or compensation until Ukraine ratifies the START/Lisbon package and accedes to the NPT.

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<sup>478</sup> “Letter of US President George H.W. Bush to Ukrainian President L. Kravchuk,” June 23, 1992, Fond 5233, Opis 1, Delo 12, Central State Archive of Ukraine.

<sup>479</sup> Ibid.

<sup>480</sup> Ibid.

<sup>481</sup> Ibid.

<sup>482</sup> “Report by the Minister of Foreign Affairs of Ukraine A. Zlenko to President L. Kravchuk,” November 18, 1992, Fond 5233, Opis 1, Delo 12, Central State Archive of Ukraine. Other options considered varied based on the parties authoring such statement: 1) a joint US-Russian statement; 2) unilateral US statement; 3) unilateral Ukrainian statement calling for security assurances from all nuclear weapons (this option was preferred by the US) and 4) joint US-Ukrainian statement. All of these formats were expected to precipitate similar statements by the remainder of the nuclear states.

And finally, the Rada had to deliberate and ratify the START-Lisbon package. By early 1993, all other parties to Lisbon Protocol had ratified it, leaving Ukraine the sole bottleneck not only for the coming into force of START but also for further strategic arms reductions under START II, initialed by the President Yeltsin and President Bush in July 1992. President Kravchuk had submitted the START-Lisbon package to the Rada in November 1992. However, it soon became clear that the Rada had no intension of rubber-stamping what the executive had signed in Lisbon: it postponed the deliberation of the treaties indefinitely, instead establishing a special working group headed by Yuriy Kostenko, a Rukh MP and Ukraine's environment and nuclear safety minister, to further study the package. Kostenko would become an important figure in Ukraine's disarmament story as one of the chief protractors of the denuclearization process.

With no automatic ratification by the Rada forthcoming, the international pressure mounted. In December 1992, the MFA reported an onslaught of foreign media reports and diplomatic demarches accusing Ukraine of backtracking on its commitments to denuclearize and undermining the NPT and threatening to cease economic and trade cooperation.<sup>483</sup> Yet at this time, Ukraine had only began to weight its nuclear options in earnest.

On November 27, 1992, the Ukrainian National Security Council (NSC) held a meeting specifically dedicated to the problems of nuclear disarmament chaired by President Kravchuk with the participation of a select group of Ukrainian government officials, military commanders and scientists. At the meeting, Kravchuk's national security advisor Volodymyr Selivanov presented a position paper, which he claimed was developed following consultations with the chiefs of all relevant government agencies, nuclear and scientific institutions in the country.<sup>484</sup>

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<sup>483</sup> Ministry of Foreign Affairs of Ukraine, "Memorandum Ministerstva Zakordonnykh Sprav Ukraïny [Memorandum of the Ministry of Foreign Affairs of Ukraine]," December 11, 1992, Fond 1, Delo 6857, List 241-246, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>484</sup> The consultations took place on November 12, 1992 in preparation for the November 27 NSC meeting. National Security Advisor to the President of Ukraine V. Selivanov, "Informatsiia pro Konsul'tatyvnu Zustrich Z Pytannia 'Iaderna Polityka Ukraïny I Problemy Iadernoho Rozzbroiennia' [Information on the Consultative Meeting on the Question of 'Nuclear Policy of Ukraine and Problems of Nuclear Disarmament,'" November 27, 1992, Fond 5233, Opis 1, Delo 139, List 82-84, Central State Archive of Ukraine.

Selivanov supported Ukraine's accession to START and the NPT and eventual complete denuclearization.<sup>485</sup> The failure to do so would weigh heavily on Ukraine's international reputation [*avtorytet*] and spell international isolation or even sanctions.<sup>486</sup> Selivanov noted that the emergence of the opposition to denuclearization in the Rada and the sheer technical and political complexity of the issue present challenges to the process of disarmament.<sup>487</sup> However, he argued, despite all differences, Ukraine's approach to denuclearization must be based on a single basic principle:

[A]ll property of the Strategic Nuclear Forces located on the territory of Ukraine at the time it became independent is the property of [Ukraine]. This property includes physical components of nuclear warheads of strategic rockets, nuclear charges of long-range aviation deployed in Ukraine, as well as warheads of the tactical nuclear missiles, which were transferred in the spring of 1992 from Ukraine to Russia...<sup>488</sup>

According to Selivanov, Ukraine must negotiate technical assistance and compensation as well as security guarantees from nuclear states before the denuclearization could commence and before the Rada could ratify START.<sup>489</sup> In his brief statement, Selivanov essentially outlined the position Ukraine's executive would continue to pursue throughout the rest of the negotiation process. Until the Bush administration remained in office, however, this effectively mean an impasse: the US refused to discuss any security guarantees or financial compensation before Ukraine ratifies START-Lisbon and Ukraine refused to ratify it until the US and Russia extended security guarantees and pledged compensation.

#### *Ukrainian-Russian Negotiations: Stillborn*

The NSC meeting in November 1992 highlighted another pressing concern: a number of speakers, including the commander of the 43<sup>rd</sup> Rocket Army Mikhtiuk, reported that the safety

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<sup>485</sup> National Security Advisor to the President of Ukraine V. Selivanov, "Dovidka Do Rozhliadu Pytannia "Iaderna Polityka Ukrainy I Problemy Iadernoho Rozzbroiennia [Inquiry toward the Consideration of the Issue of Nuclear Policy of Ukraine and the Problems of Nuclear Disarmament]," November 27, 1992, Fond 5233, Opis 1, Delo 139, Central State Archive of Ukraine.

<sup>486</sup> Ibid.

<sup>487</sup> Ibid.

<sup>488</sup> Ibid.

<sup>489</sup> Ibid.

of the nuclear armaments in Ukraine was in a very bad shape with many warheads nearing the end of their service life.<sup>490</sup> Security, safety and regular servicing of the armaments was impossible without the cooperation of Russia, as 75% to 85% of the components and spare parts for Ukraine's missiles came from Russia and Belarus.<sup>491</sup> As Selivanov summed up, Ukraine was home to "half-forgotten" and "half-neglected" nuclear arms and people, and if nothing was done, another Chernobyl was in the making.<sup>492</sup>

The considerations of nuclear safety created urgency for Ukraine to engage with Russia, which hereto, evidently content with its control over the strategic nuclear forces in Ukraine via the CIS, did not force the process. Following the recommendations agreed at the meeting, Kravchuk issued a directive to the Cabinet of Ministers and a whole range of government agencies tasking them to develop detailed and comprehensive program for dismantling Ukraine's nuclear arsenal while ensuring its safety and security.<sup>493</sup> On December 28, 1992, the MFA sent a diplomatic note to Russia's foreign ministry urging the commencement of bilateral negotiations.<sup>494</sup>

Shortly thereafter on January 26, 1993, the first round of Ukrainian-Russian negotiations opened in the Ukrainian city of Irpin'. The Russian delegation was headed by a distinguished diplomat and seasoned arms negotiator Yuriy Dubinin and the Ukrainian delegation was led by Yuriy Kostenko. In his opening remarks, Kostenko laid out the agenda for the talks proposing to

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<sup>490</sup> "Minutes of the Meeting of the National Security Council of Ukraine," November 27, 1992, Fond 5233, Opis 1, Delo 139, Central State Archive of Ukraine.

<sup>491</sup> National Security Advisor to the President of Ukraine V. Selivanov, "Informatsiia pro Konsul'tatyvnu Zustrich Z Pytannia 'Iaderna Polityka Ukraïiny I Problemy Iadernoho Rozzbroïennia' [Information on the Consultative Meeting on the Question of 'Nuclear Policy of Ukraine and Problems of Nuclear Disarmament.'"]

<sup>492</sup> National Security Advisor to the President of Ukraine V. Selivanov, "Poiasniuval'na Zapyska Do Dyrektyv Delehatsii Ukraïiny Na Perehovorakh Z Rosiyskoiu Federatsieiu Z Pytan' Iadernoi Bezpeky Ta Statusu Stratehichnykh Iadernykh Syl, Likvidatsiï Stratehichnykh Nastupal'nykh Ozbroïen', Roztashovanykh Na Terytorii Ukraïiny [Explanatory Note to the Directives to the Delegation of Ukraine in the Negotiations with the Russian Federation on Questions of Nuclear Security and the Status of Strategic Nuclear Forces, Liquidation of Strategic Offensive Arms Located on the Territory of Ukraine," November 27, 1992, Fond 5233, Opis 1, Delo 139, Central State Archive of Ukraine.

<sup>493</sup> Office of the President of Ukraine, "Rozporiadzhennia Prezydenta Ukraïiny 'Pro Zakhody Shchodo Zabezpechennia Realizatsiï Iadernoi Polityky Ukraïiny Ta Likvidatsiï Roztashovanykh Na Iiï Terytorii Iadernykh Ozbroïen' [Directive of the President of Ukraine 'On Measure Regarding the Implementation of the Nuclear Policy of Ukraine and the Liquidation of Nuclear Armaments Located on Its Territory]," December 19, 1992, Fond 1, Delo 7058, List 144-146, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>494</sup> "Nota Ministerstva Zakordonnykh Sprav Ukraïiny [Note of the Ministry of Foreign Affairs of Ukraine] N-15/44-23403," December 28, 1992, Fond 1, Delo 7063, Archive of the Ministry of Foreign Affairs of Ukraine.



focus first on the immediate issues of nuclear safety and the contested status of the SF, with the particulars of disarmament as the last item.<sup>495</sup> He immediately launched an offensive and accused Russia of intentionality withholding parts and maintenance in order to create a nuclear hazard in Ukraine and then turning around and using this to pressure and blackmail Ukraine.<sup>496</sup> He also decried Russia's attempts to establish control over the joint CIS command and stressed that Ukraine would never agree to subordinate any armed units on its territory to a foreign state.<sup>497</sup>

Finally, turning to disarmament, Kostenko outlined the starting Ukrainian position along the familiar lines: Ukraine is the owner of the physical components of all nuclear weapons stationed in Ukraine at the time it proclaimed independence, including the tactical nuclear weapons already transferred to Russia.<sup>498</sup> Kostenko conceded that the most economically viable and ecologically safe solution would be to dismantle Ukraine's strategic weapons in Russia.<sup>499</sup> Ukraine, however, expected that all fissile material extracted from the warheads would be returned to Ukraine in the form of fuel assemblies for its nuclear power stations or as financial compensation. If Russia did not agree to this, Ukraine would be forced to consider other alternatives, including building a dismantlement facility on its own territory. None of this, Kostenko maintained, was in contradiction with the NPT or START-Lisbon, since Ukraine did not maintain or aspire to operational control of the strategic weapons.<sup>500</sup>

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<sup>495</sup> "Transcript of the speech of the head of Ukrainian delegation Y. Kostenko delivered at the opening of negotiations with the Russian Federation on elimination of nuclear weapons," January 26, 1993, Fond 1, Delo 7063, List 12-18, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>496</sup> Ibid.; The safety of nuclear installations had indeed been an issue, not only in Ukraine but also in Russia, as evidenced by the letter to Russian President B. Yeltsin and Ukrainian President L. Kravchuk from Ukrainian and Russian Defense Industry Directors, July 1993, Fond 1, Delo 7063, List 59-61, Archive of the Ukrainian Ministry of Foreign Affairs.

<sup>497</sup> "Transcript of the speech of the head of Ukrainian delegation Y. Kostenko delivered at the opening of negotiations with the Russian Federation on elimination of nuclear weapons."

<sup>498</sup> Ibid.

<sup>499</sup> Ibid.

<sup>500</sup> Ibid.

Kostenko was acting on specific directives developed by Ukraine's executive following the November 1992 NSC meeting.<sup>501</sup> However, against the background of the already strained Ukrainian-Russian relations and Ukraine's weak leverage in the negotiations to start with, Kostenko's intransigent tone did not help. By March 1993, after only three rounds, the Russian-Ukrainian negotiations collapsed. Unsurprisingly, the main bone of contention was Ukraine's claim to nuclear ownership. According to the MFA, Russia maintained that it was the sole owner of nuclear weapons as the only recognized nuclear successor of the USSR.<sup>502</sup> If Ukraine recognized this, Russia would be willing to negotiate compensation for the fissile material contained in strategic nuclear warheads, that is, sharing with Ukraine the proceeds from the US-Russian HEU purchase deal. However, Russia refused to even talk of compensation for the tactical nuclear weapons, the issue it considered a done deal.<sup>503</sup>

Indeed, by early 1993, the claim to nuclear ownership emerged as the crux of Ukraine's stance on nuclear arms and the main bone of contention with Russia. The general consensus was that this claim stemmed from Ukraine's status as a legal successor of the USSR. However, beyond this basic premise, there were profound disagreements among Ukrainian political leaders with regards to what this claim entailed. Generally speaking, nuclear ownership was translated into three different narratives in Ukraine's political discourse.

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<sup>501</sup> Point 5 of the President's December 28, 1992 Directive tasked Ukraine's delegation, essentially Y. Kostenko, to follow the "top secret" directives attached therein. Unfortunately, the text of these directives is not available. Office of the President of Ukraine, "Rozporiadzhennia Prezydenta Ukrainy 'Pro Zakhody Shchodo Zabezpechennia Realizatsiï Iadernoi Polityky Ukrainy Ta Likvidatsiï Roztashovanykh Na Iiï Terytorii Iadernykh Ozbroyen' [Directive of the President of Ukraine 'On Measure Regarding the Implementation of the Nuclear Policy of Ukraine and the Liquidation of Nuclear Armaments Located on Its Territory]."

<sup>502</sup> Ministry of Foreign Affairs of Ukraine, "Pro Kompleksne Vyrishennia Shyrokoho Kola Pytan', Pov'iazanykh Z Roztashovanoi Na Terytorii Ukrainy Stratehichnoi Iadernoi Zbroiei I Taktychnymy Iadernymy Boiezariadamy, Vyvedenymy Vesnoi 1992 Roku P Ukrainy Dlia Ikh Rozukomplektuvannia I Znyshchennia [On the Comprehensive Resolution of the Wide Range of Issues Related to the Strategic Nuclear Weapons Located on the Territory of Ukraine and Tactical Nuclear Warheads, Removed from Ukraine in Spring of 1992 for Their Dismantlement and Elimination]," March 1993, Fond 1, Delo 7057, List 23-25, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>503</sup> Ibid.

One narrative, advanced by President Kravchuk and Ukraine's diplomats, mobilized the ownership claim as substantiation for Ukraine's entitlement to compensation for voluntarily surrendering strategically important state property. In December 1992, the MFA circulated a memorandum to the foreign embassies in Kyiv aimed at clarifying and elaborating Ukraine's official stance on nuclear arms. The memorandum emphasized Ukraine's continued commitment to become a nonnuclear state "in the future" and accede to the NPT as a NNWS and outlined steps taken already toward this goal: the START-Lisbon and the NPT had been submitted to the Rada; and in September 1992, the IAEA had been informed of Ukraine's willingness to accept the agency's safeguards even prior to the NPT accession.<sup>504</sup> Fending off the accusations of Ukraine's backtracking on its commitments to denuclearize, the memorandum noted that the ratification of such important international instruments as START and the NPT must follow the process of legislative deliberation, normal for any democratic state.<sup>505</sup>

Importantly, the MFA repeated its position, outlined in the Lisbon note, that at the moment of the collapse of the USSR, Belarus, Kazakhstan, Russia and Ukraine all had "undeniable equal rights" to become nuclear states [*derzhavy, shcho volodiut' iadernoiu zbroieiu*] and "chose" to subordinate their nuclear forces to the CIS.<sup>506</sup> Since Ukraine's intention was not to possess nuclear weapons, it had been consistent in its policy not to acquire control over the nuclear explosive devises, in accordance with Article II of the NPT; however, Ukraine had undeniable "property ownership rights" [*pravo vlasnosti*] to all components of nuclear warheads, both strategic and tactical.<sup>507</sup> In other words, it was Ukraine's choice – and a laudable one – not to come into full nuclear possession, and this choice was predicated on its own commitment to nuclear disarmament, not on the lack of legitimate right to do so.

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<sup>504</sup> Ministry of Foreign Affairs of Ukraine, "Memorandum Ministerstva Zakordonnykh Sprav Ukrainy [Memorandum of the Ministry of Foreign Affairs of Ukraine]."

<sup>505</sup> Ibid.

<sup>506</sup> Ibid.

<sup>507</sup> Ibid.

This was not only the position communicated to the foreign government, but also the stance of the Ukrainian diplomats in domestic deliberations. On February 3, 1993, the MFA circulated an important internal memo evaluating Ukraine's nuclear options to top Ukrainian leaders in both the executive and the legislative branch: President Kravchuk, Prime-Minister Leonid Kuchma, Rada Speaker Ivan Plyushch and his deputy Volodymyr Durdynets, head of Ukraine's Security Service (SBU) Yevhen Marchuk and Minister of Machine-building and Military-Industrial Complex Viktor Antonov. The MFA claimed to have analyzed a large number of contemporary Western publications, not only on Ukraine's nuclear policy but also on nuclear policy of other states, including the so-called nuclear threshold states. The memo considered three alternatives: Ukraine as a nuclear state; Ukraine as a nonnuclear state without strategic offensive weapons; and Ukraine as a nonnuclear state retaining a portion of conventionally armed ICBMs (which meant, in practical terms, the 46 SS-24s), and offered the evaluation of positive and negative repercussions of all three options.<sup>508</sup>

Although the memo did not assign relative importance to each pro and con, nor did it produce a set of recommendations for its audience, it was clear that the MFA's preference was with surrendering both the nuclear weapons and the missiles. The nonnuclear Ukraine had the benefit of confirming Ukraine's commitment to its international obligations, which would be appreciated by the international community and conducive to Ukraine's "positive image" on the international arena, although the MFA conceded that international "political interest" in Ukraine might decrease as a result of denuclearization. Importantly, this would also sever the last tie that linked Ukraine to the "common strategic space" of the CIS, first envisioned in the Belavezha Accord and implemented through the CIS. Other benefits of this option included receiving broad security guarantees from the P5, which had a vested interest in Ukraine's nuclear

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<sup>508</sup> Ministry of Foreign Affairs of Ukraine, "Analitichna Dovidka 'Mozhlyvi Naslidky Al'ternatyvnykh Pidkhodiv Ukraïny Do Zdiysnennia Iadernoi Polityky' [Analytical Note 'Possible Consequences of Alternative Approaches of Ukraine to Carrying out Nuclear Policy']," February 3, 1993, Fond 1, Delo 7045, List 1-7, Archive of the Ministry of Foreign Affairs of Ukraine.

disarmament, as well as Western credits for conversion and economic reforms. In addition, significant resources dedicated to maintaining the strategic arsenal could be released for the needs of conventional military.<sup>509</sup>

The negative repercussions of the nonnuclear Ukraine outlined in the memo were relatively few, some rather obscure, such as the loss of what it termed the “strength component” (*sylowyi komponent*) in the conduct of its foreign policy and relegation to the category of a regional actor like, for instance, Turkey. In more practical terms, it meant having to strengthen Ukraine’s conventional military and find a way to convert the country’s considerable military-scientific and industrial capacities in offensive strategic arms toward alternative use.<sup>510</sup>

The nuclear option was both the least feasible and the least desirable. It entailed overcoming the initial barrier to its implementation, namely the launch of an indigenous nuclear weapons program, which would require, at the very least, research and development institutions, uranium enrichment and plutonium reprocessing facilities, manufacture of nuclear warheads, and a nuclear test site. The memo noted that a considerable upfront investment necessary for the “nuclear missile program” would divert the scarce resources away from the much-needed social and economic reforms in the country.<sup>511</sup>

The positive consequences of the nuclear scenario were few and consisted primarily of international status considerations, such as membership in the “nuclear club,” great power status and “position of strength” (*syl’na pozytsiia*) in security-related international dealings. The negative repercussions of the nuclear option far outweighed the positive. While a Ukrainian nuclear deterrent would have some military utility in providing “certain own guarantees of national security,” it also meant that Ukraine would automatically become the object of nuclear deterrence for the US, Russia and other nuclear states with all its nuclear installations and large

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<sup>509</sup> Ibid.

<sup>510</sup> Ibid.

<sup>511</sup> Ibid.

cities becoming targets of nuclear strike, while increasing a threat of nuclear disaster on its own territory resulting from possible technical mishaps.<sup>512</sup>

Any status gains from nuclear possession would be countered by the perception of Ukraine as a state that does not keep its commitments. Indeed, according to the MFA, the political and economic costs of the nuclear option would be prohibitive: the long-term deterioration of relations with the West, hampering Ukraine's international prestige and ability to conduct active and influential foreign policy; the deterioration of relations with Russia, which can use its leverage to destabilize Ukraine internally leading to "unpredictable consequences;" and the curtailing of international cooperation in civilian nuclear energy sector, including Russia's refusal to supply nuclear fuel which would undoubtedly exacerbate Ukraine's economic crisis. Additionally, the emergence of a nuclear Ukraine was likely to drive Russia and the US, as well as other Western countries, into an "anti-Ukrainian" alliance and lead to complete isolation, sanctions and even military action.<sup>513</sup> Finally, there were international normative consequences: Ukraine would become a "violation of the international nonproliferation regime" and set a dangerous precedent for a number of nuclear threshold states such as India, Pakistan, South Africa, Israel and Iraq, which might field their own claims to membership in the "nuclear club" or create a "second nuclear club."<sup>514</sup>

The final option was retaining ICBMs without the nuclear warheads, which meant that, technically Ukraine would be in compliance with its denuclearization commitments, and still retain one of the most formidable strategic deterrents in Europe, inferior only to those of the US, France and Russia.<sup>515</sup> In addition to Ukraine maintaining a "position of strength" (*yl'na*

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<sup>512</sup> Ibid.

<sup>513</sup> Ibid.

<sup>514</sup> Ibid. It is unclear why the MFA included South Africa and Israel on its list. South Africa by that time had renounced its nuclear program and signed the NPT as a NNWS in 1991. Israel's policy of nuclear opacity was based on the exact opposite of declarations of membership in any nuclear clubs. It would be surprising if the MFA did not know that, which means that it could have included these states on the list in order to rhetorically augment its argument to those Ukrainian decision-makers less knowledgeable in nuclear matters.

<sup>515</sup> Ibid.

*pozytsiia*) in international security and military-strategic affairs, the retention of nonnuclear strategic offensive arms would allow it to keep its missile production capacities (most notably, Pivdenmash), which would be economically advantageous short-term, make the deterrent sustainable and modernizable long-term and secure Ukraine's position as a missile exporter.<sup>516</sup> The drawbacks of this scenario were that, since these arms were still very much strategic and offensive, Ukraine was still likely to remain shunned by the international community and targeted by the nuclear states. This would also spell no nuclear or other security guarantees for Ukraine, while Russian nuclear-armed ICBMs would still have an advantage over Ukraine's conventional ones.<sup>517</sup>

President Kravchuk's position was very close to that of the MFA. He was personally antipathetic toward nuclear arms in general and stressed the long-term humanitarian significance of disarmament: "Nuclear weapons do not guarantee the salvation of humans. The sooner humanity understands that they need to be destroyed in all countries, the better for humanity."<sup>518</sup> In addition, Kravchuk was generally apprehensive on account of nuclear safety, which Ukraine could not ensure without Russian participation. Yet, given the growing perception of the threat of Russian border revisionism and the concomitant opposition to quick denuclearization in the Rada, the executive had to make a stance that took Ukrainian national interests into account. This meant receiving adequate security guarantees and financial compensation for the relinquished nuclear weaponry Ukraine claimed to rightfully own.

While Kravchuk and the MFA mobilized the claim to nuclear ownership to substantiate Ukraine's entitlement to proper compensation, they also understood that this in no way endowed Ukraine with a legitimate nuclear status. During a closed-door session of the Rada on June 3, 1993 convened by President Kravchuk to urge the ratification of the START-Lisbon

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<sup>516</sup> Ibid.

<sup>517</sup> Ibid.

<sup>518</sup> "Transcript of President Kravchuk's Interviews," June 18, 1993, Fond 5233, Opis 1, Delo 289, Central State Archive of Ukraine.

package, foreign minister Zlenko stressed that there was a discrepancy between Ukraine's legal succession claim and reality:

According to experts, since Ukraine never had control over [nuclear] weapons, it cannot be considered a nuclear state, in its pure form. As we know, the right of possession entails at least three main conditions: ownership, use and control of the object of ownership. Ukraine never had the capacity to "use" nuclear weapons, despite statements about "Ukrainian" nuclear weapons.<sup>519</sup>

While gaining the capacity to "use" nuclear weapons was not technically unfeasible for Ukraine, Kravchuk and the MFA, as the main agents of Ukraine's foreign policy and interlocutors with the US and Russia, understood well that there were formidable international political barriers to doing so. Even if such a decision was deemed necessary in the face of perceived security threats, Ukraine was in no shape to surmount these barriers. It needed to join the international community more than it could afford to defy it.

#### *The Rada: Political Hedging*

Clearly dissatisfied with MFA's nonnuclear leanings evident from its February memorandum, the Rada requested additional analysis on the nuclear issue. While the text of letter from the Rada Deputy Speaker Durdynets is unavailable, the MFA's response indicates that it inquired precisely about the nuclear option.<sup>520</sup> In this second memo, dated February 19, 1993, the MFA estimated that Ukraine at the time had about one-third of the components required for an independent nuclear-missile program.<sup>521</sup> The MFA estimated that just maintaining the existing nuclear-related infrastructure would cost billions of dollars over the next decade, a prohibitive number in Ukraine's current economic situation, not to mention the additional cost of augmenting it to

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<sup>519</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasidannia. Zasidannia P'iatdesiate. [Transcript of the Plenary Session. Session Fifty]," June 3, 1993, 44, <http://portal.rada.gov.ua/meeting/stenogr/show/4864.html>.

<sup>520</sup> "Letter of Minister of Foreign Affairs A. Zlenko to Deputy Speaker of the Verkhovna Rada V. Durdynets," February 19, 1993, Fond 1, Delo 7057, List 77, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>521</sup> Ministry of Foreign Affairs of Ukraine, "Dodatkova Informatsiia Shchodo Mozhlyvykh Naslidkiv Al'ternatyvnykh Pidkhodiv Ukraïny Do Zdiisnennia Iadernoi Polityky [Additional Information Regarding the Possible Consequences of Alternative Approaches to Carrying out Ukraine's Nuclear Policy]," February 19, 1993, Fond 1, Delo 7057, List 78-83, Archive of the Ministry of Foreign Affairs of Ukraine.



build a full-scale indigenous nuclear program.<sup>522</sup> Beyond these direct economic costs, the brief reiterated that, politically, the change of course and open declaration of a nuclear status would undoubtedly bring political and economic sanctions upon Ukraine. Not only would Ukraine's bid for an indigenous nuclear program receive a cold shoulder from the Nuclear Suppliers Group, but possibly provoke a military strike against its installations, the likes suffered by Iraq and Libya. The MFA once again emphasized that a declaration of a nuclear status would make Ukraine a target of all nuclear states and those nonnuclear states that would regard Ukraine's nuclear posture as threatening.<sup>523</sup>

The MFA conceded that recognized nuclear weapons states had "certain advantages" in international life and carried a special responsibility for maintaining peace and security. Yet while for the USSR and now Russia, such *de facto* and *de jure* status was beyond doubt, for Ukraine, the legitimacy of its status of a nuclear state would be nearly impossible to argue. To proclaim nuclear status in spite of this would mean retaining the powerful weapons but, paradoxically, having diminished influence in world affairs.<sup>524</sup>

Despite the arguments presented by the MFA, many in the Rada took the position of the executive to be overly defeatist and elaborated an alternative vision of Ukraine's nuclear predicament, the main objective of which seemed have been political hedging. This second narrative upheld Ukraine's commitment to denuclearize eventually, but held the claim of nuclear ownership to mean that Ukraine was a nuclear state in every sense and should negotiate its disarmament as such. This position took hold among many national democrats in the Rada, of which Yuriy Kostenko became the most vociferous. For Kostenko, formal recognition of Ukraine's ownership of nuclear weapons by Russia and the West was of paramount importance and in April 1993 his ad-hoc parliamentary working group drafted a letter signed by 162 MPs,

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<sup>522</sup> Ibid.

<sup>523</sup> Ibid.

<sup>524</sup> Ibid.

stating that the attempts of some states “to force Ukraine to immediately ratify START [and NPT] and to give up the status of a power that is, *de facto* and *de jure*, the owner of nuclear weapons are inadmissible from the point of view of international law.”<sup>525</sup>

During the June 3 Rada session, Dmytro Pavlychko, a renowned poet and chair of the Rada foreign relations committee, argued that Ukraine should retain its current status of the owner of nuclear weapons for as long as possible:

Without rejecting its intention, I stress – intention, not obligation – to become in the future a nonnuclear state, Ukraine must proceed [toward this goal] very slowly, very carefully lest it should harm, in haste and ineptitude, its own interests.<sup>526</sup>

Pavlychko dismissed the NPT as discriminatory toward Ukraine and as likely to expire in 1995.<sup>527</sup> Thus, Ukraine should not ratify the NPT but only START and, in accordance with that treaty, surrender the 130 SS-19 but not the 46 SS-24 ICBMs manufactured and serviced by the Pivdenmash.<sup>528</sup> This position also found support with the incumbent Prime-Minister Leonid Kuchma, the former director of the Pivdenmash, who at the same Rada session proposed that Ukraine should temporarily declare itself a nuclear state.<sup>529</sup>

However, Pavlychko argued, Ukraine did not regard its nuclear inheritance in military terms and would eventually disarm completely through additional treaties and in conjunction with reductions by other nuclear possessors.<sup>530</sup> In return, Pavlychko insisted, Ukraine should demand binding security guarantees from nuclear states, including an obligation to come to Ukraine’s

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<sup>525</sup> “People’s Deputies Advocate Country’s Nuclear Status,” *Molod Ukraïny in FBIS-SOV-93-082*, April 27, 1993.

<sup>526</sup> Dmytro Pavlychko, “Speech Delivered during the Session of the Vekhovna Rada of Ukraine on June 3, 1993,” in *Holosy Moba Zhyattia. Staty, Vystupy, Interv’iu. Dokumenty [The Voices of My Life. Articles, Speeches, Interviews. Documents]* (Kyiv: Osnovy, 2013), 419.

<sup>527</sup> Ibid., 421.

<sup>528</sup> Ibid., 420.

<sup>529</sup> “Ukraine: A Nuclear State,” *The Economist*, June 12, 1993. This Kuchma statement was pronounced during the closed session of the Rada on the afternoon of June 8 and is thus unavailable through the Rada database of session transcripts.

<sup>530</sup> Pavlychko, *Holosy Moba Zhyattia. Staty, Vystupy, Interv’iu. Dokumenty [The Voices of My Life. Articles, Speeches, Interviews. Documents]*, 421. For Rada MPs, this was not a radical approach, for it essentially echoed the two-stage disarmament process envisioned in the October 1991 Statement on Nonnuclear Status.

defense should it come under attack.<sup>531</sup> At the same time, Pavlychko doubted that the West would undertake or carry out such far-reaching commitments.<sup>532</sup>

This second narrative of Ukraine's nuclear ownership gravely misjudged strength of the international nonproliferation regime, the US nonproliferation policy and the international effort to prolong the NPT indefinitely at the coming 1995 NPT Review and Extension Conference. It was also not specific on how precisely to turn this prolonged nuclear ownership into political upsides for Ukraine, besides demanding greater financial compensation and security guarantees that Pavlychko doubted were forthcoming. In effect, it only prolonged the ambiguity of Ukraine's nuclear predicament. In the words of MP O. Tarasenko, deputy head of the Rada security and defense committee, who exasperated over this ambiguity: "We cannot be a little bit nuclear. We can either be completely nonnuclear, nuclear [in a collective security system with Moscow] or independently nuclear."<sup>533</sup>

#### *Tolubko: Nuclear Deterrent*

Finally, the third position was to retain nuclear armaments as a deterrent. The main champion of this narrative was General-Major Tolubko, whose stance on nuclear arms had been known at least since the April 1992 Rada session discussed above. At the end of 1992, Tolubko publicized his position in a series of articles in Rada's official paper *Holos Ukrainy*, where he argued that in the modern age of high-tech warfare it made more economic sense to retain a nuclear deterrent and strategic rocket forces than to modernize a large conventional army.<sup>534</sup> Subsequently, Tolubko elaborated his position in a July 1993 memorandum brought to the attention of the Rada Speaker Plyushch, President Kravchuk, Prime-Minister Kuchma and the MFA. Tolubko

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<sup>531</sup> Ibid., 420.

<sup>532</sup> Ibid., 420–1 Pavlychko quoted former US Secretary of State Henry Kissinger as telling President Kravchuk that if Russia invaded Estonia, the entire world would come to Estonia's defense, but if Russia invaded Ukraine, the latter would have to fend for itself.

<sup>533</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia P'iadesiate. [Transcript of the Plenary Session. Session Fifty]," 73.

<sup>534</sup> Volodymyr Tolubko, "V Interesakh Bezpeky Chy Nazad Do Falanhy? [In the Interests of Security or Back to the Phalanx?]," *Holos Ukrainy*, November 10, 1992.

proposed that Ukraine should openly declare itself a nuclear state from which point it could either ratify START (without the NPT) and carry out the reductions in accordance with that treaty or ratify nothing at all and decide the future of its nuclear deterrent on the basis of separate treaties.<sup>535</sup>

Tolubko's memo did not address the issue of establishing operational control over Ukraine's missiles or discuss their deterrent value in much detail. He did not seem to regard wresting control over nuclear weapons from Russia as an impediment. Indeed, contemporary reports and subsequent analyses indicated that Ukraine did possess sufficient scientific and technical capability to establishing operational control at least over its SS-24 ICBMs.<sup>536</sup> Throughout the second half of 1992 and first half of 1993 both Russian and Western experts reported that Ukraine could break Moscow's permissive action links (PALs) and reprogram the missiles to gain operational control over the ICBMs within six to twelve months and several attempts to do so had been reported both by the Russian military and the CIA.<sup>537</sup>

Yet Tolubko did not consider merely the retention and reprogramming of the portion of the ICBMs left over from the Soviet Union, which in any case would some day reach the end of their service life and would need to be replaced. Tolubko's nuclear deterrent was a long-term option which, he argued, could only be possible under conditions of close cooperation with Russia in the nuclear sphere, since, given the country's economic situation and time requirements, Ukraine was in no position to develop a nuclear program independently.<sup>538</sup> Moreover, in a thinly veiled reference to the US, Tolubko stated that Ukraine's joint operation of

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<sup>535</sup> Volodymyr Tolubko, "Iadernoe Oruzhiie, Kosmos, Flot: Resheniie Voprosov Ne Terpit Promedleniia [Nuclear Weapons, Space and Navy: Decisions of the Issues Cannot Be Delayed]," July 1, 1993, Fond 1, Delo 7058, List 99-106, Archive of the Ukrainian Ministry of Foreign Affairs.

<sup>536</sup> See Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 42-3.

<sup>537</sup> Skootsky, "An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994," 72, 75; also see Martin J. DeWing, "The Ukrainian Nuclear Arsenal: Problems of Command, Control and Maintenance" (Monterey Institute of International Studies, 1993).

<sup>538</sup> Tolubko, "Iadernoe Oruzhiie, Kosmos, Flot: Resheniie Voprosov Ne Terpit Promedleniia [Nuclear Weapons, Space and Navy: Decisions of the Issues Cannot Be Delayed]."

nuclear arms with Russia would protect it from the architects of the “new world order” and ensure that the fate of “Grenada, Yugoslavia and Iraq” would not befall independent Ukraine.<sup>539</sup>

Implying that the US, not Russia, constituted the object of nuclear deterrence was obviously a point of major divergence with the other two narratives. The MFA formulated a response to Tolubko’s proposal, where it stressed that: “Given today’s state of relations with Russia... it is obvious that Moscow can acquiesce to [joint operation of Ukraine’s nuclear armaments] only on condition of a close political and military union [and] the alteration of the status of strategic nuclear forces on the territory of Ukraine.”<sup>540</sup> This would contradict the 1990 Declaration of Sovereignty that proclaimed the country’s intention to remain nonaligned and become nonnuclear in the future. In other words, Tolubko’s nuclear deterrent was only conceivable within the collective security system with Russia, precisely the thing Ukraine was trying to avoid. The MFA also criticized Tolubko for failing to consider international repercussion of a decision to declare Ukraine a nuclear state.<sup>541</sup>

### *A Nuclear Exception*

While the three nuclear stances appeared in a natural progression from more favorable to less favorable toward disarmament, they were underpinned by deeply divergent notions of the kinds of purposes nuclear weapons could serve for Ukraine. Although Pavlychko expressed skepticism about the sincerity and robustness of Western commitments, he was in no way inclined to consider nuclear weapons as a tool of deterring a potential Western aggressor when the most clear security threat, in his view as well as the view of Kravchuk and the MFA, was posed by Russia. Tolubko’s stance was clearly inclined to take a more agnostic look at the security threats emanating from Russia and, instead, consider the US as an entity to be deterred.

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<sup>539</sup> Ibid.

<sup>540</sup> Ministry of Foreign Affairs of Ukraine, “Memorandum 21-830 Pershoho Zastupnyka Ministra Zakordonnykh Sprav M.P. Makarevycha Vitse-Prem’ier-Ministru Ukraïny V.M. Shmarovu [Memorandum 21-830 of First Deputy Minister of Foreign Affairs M.P. Makarevych to Vice-Prime-Minister V.M. Shmarov],” July 27, 1993, Fond 1, Delo 7058, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>541</sup> Ibid.

In terms on nuclear proliferation, Tolubko's deterrent proposal was clearly the most dangerous of the three, yet it was also the most marginal and found virtually no support with the decision-makers in Kyiv.<sup>542</sup>

Yet even the most moderate of the three positions – that of Kravchuk and the MFA – which claimed ownership of nuclear weapons as assets that rightfully belonged to Ukraine as legal succession to the USSR, proved deeply problematic. On the face of it, the legalistic argument Ukraine was trying to make was not entirely untenable: Ukraine was recognized as a Soviet successor in relation to conventional weaponry. As such, it acceded to the 1990 Treaty on Conventional Armed Forces in Europe (CFE) and carried out reductions associated with it.<sup>543</sup> Yet nuclear possession fell within a different normative space than conventional armaments, and, as discussed in Chapter 2, Ukraine's continuous succession to NPT could not be recognized without undermining the nonproliferation norm.

It is unclear how deeply Ukrainian jurists analyzed the issue of succession in international legal terms, but it seems hardly accidental that Ukraine substantiated its position by reference not to the 1978 Vienna Convention on the Succession in respect of Treaties, but the 1978 Vienna Convention on the Succession of States in Respect to State Property, Archives and Debts, which Ukraine ratified in November 1992, around the same time when START-Lisbon was first introduced to the Rada.<sup>544</sup> Still, such a nuanced deconstruction of nuclear weapons as 'property,' not 'weapons,' whereby their value was divorced from the purposes for which they were created, was a difficult message for Ukraine to argue. Any claim to rightful nuclear ownership, as distinct

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<sup>542</sup> Boris Tarasiuk, Personal interview by Mariana Budjeryn, Budapest, Hungary, November 14, 2012. Even the MFA response to Tolubko's memorandum was written by a junior MFA official.

<sup>543</sup> Verkhovna Rada of Ukraine, *Postanova pro Ratyfikatsiinu Dobovoru pro Znychaini Broini Syly v Ievropi Ta Uhody pro Pryntsypy I Poriadok Ioho Vykonnannia* [Resolution on Ratification of the Treaty on Conventional Armed Forces in Europe and the Agreement on Principles and Process of Its Implementation], July 1, 1992, <http://zakon4.rada.gov.ua/laws/show/2526-12>.

<sup>544</sup> Vienna Convention of Succession of States in Respect of State Property, Archives and Debts, April 8, 1978, [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=III-12&chapter=3&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-12&chapter=3&lang=en;); Verkhovna Rada of Ukraine, *Postanova Pro Pryednannia Ukraïny Do Videns'koi Konventsii pro Pravonastupnytstvo Derzhav Shchodo Derzhavnoi Vlasnosti, Derzhavnykh Arkhiviv I Derzhavnykh Borhiv* [Resolution on Accession of Ukraine to the Vienna Convention on Succession of States in Respect of State Property, Archives and Debts], 2784-XII, November 17, 1992, <http://zakon3.rada.gov.ua/laws/show/2784-12>.

from fully-fledged nuclear possession, met suspicion alarm in the West. Russia treated it as a declaration of a nuclear status by Ukraine.<sup>545</sup>

Ukrainian leaders resented being the focus of negative attentions, which they deem unwarranted and undeserved. Ukraine did not pursue a nuclear program in violation of any international norms; it inherited them, and thus was not a proliferator in a traditional sense. Somewhat in contradiction to its claim that Ukraine was the fully-fledged legal successor to the USSR, the MFA December memorandum stressed that Ukraine was not responsible for the decisions that led to the deployment by the former USSR of the world's third largest nuclear arsenal on its territory.<sup>546</sup> Among other thing, it meant that Ukraine could not be expected to fit a "multibillion" [no currency indicated] bill for the safe and secure dismantlement of these weapons as well as providing rehabilitation and social guarantees to the military personnel that serviced them amid a severe economic crisis.<sup>547</sup> Yet instead of real assistance in dismantling these weapons, which were not only a military but also an environmental threat to Ukraine and the world, Ukraine only received "negative stimuli."<sup>548</sup>

Kravchuk also voiced dissatisfaction with the international pressure. "Instead of assistance we receive pressure... instead of aid we get accused of not fulfilling our commitments," he said in an interview to *Financial Post*. "Pressure always provokes counter-pressure. We are a big country of 52 million and we are not going to act on a knee jerk reaction."<sup>549</sup> Evidently frustrated by the unwillingness of the West to acknowledge the merits of Ukraine's demands, Kravchuk stated in an interview to the *New York Times* in early 1993: "Ukraine is a powerful European state and needs to be treated as such, not as a part of Russia. US needs to understand that we will do

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<sup>545</sup> Yuri Dubinin, "Ukraine's Nuclear Ambitions: Reminiscences of the Past," *Russia in Global Affairs*, April 13, 2004, [http://eng.globalaffairs.ru/number/n\\_2913](http://eng.globalaffairs.ru/number/n_2913).

<sup>546</sup> Ministry of Foreign Affairs of Ukraine, "Memorandum Ministerstva Zakordonnykh Sprav Ukraïny [Memorandum of the Ministry of Foreign Affairs of Ukraine]."

<sup>547</sup> Ibid.

<sup>548</sup> Ibid.

<sup>549</sup> "Transcript of President Kravchuk's Interview to Financial Post," August 25, 1993, Fond 5233, Opis 1, Delo 290, Central State Archive of Ukraine; "Transcript of President Kravchuk's Interviews."

nothing to the dictation of Russia, or any other country.”<sup>550</sup> In another interview in April 1993, Kravchuk decried international politics as “dirt”: “It is very dangerous to do politics with great powers, the mentality of great powers is the mentality of dictation, especially in extreme situations.”<sup>551</sup> Both the US and Russia, he exasperated, “live in a different world, the world where big states can do anything, they meet and they divide up the spheres of influence.”<sup>552</sup>

Ukraine’s situation was exacerbated by the fact that not only did it find itself under great power pressure, but that this pressure was applied from within a certain well-established normative space with which Ukraine was expected to comply and that this expectation emanated not only from the US and Russia but from the entire international community. Ukraine, on the other hand, found itself in a situation where this normative space did not contain categories and prescriptions that could adequately accommodate its nuclear predicament. The NPT divided all states into two kinds: nuclear-weapons states and non-nuclear-weapons states. Any ‘in-betweenness’ could not be accommodated within the regime and thus put Ukraine squarely outside of the normative space outlined and guarded by the NPT. That space did not look attractive: most of its residents at the time were pariah states, an aberration to the regime, and, judging from its memoranda, the MFA was certainly aware of that.

Indeed, Ukraine’s nuanced claim to ‘ownership’ to nuclear weapons, based on the property succession norm, was not an attempt to defy the nonproliferation regime. Quite the opposite, by avoiding reference to ‘possession,’ the claim was fashioned not to contradict directly the terms of the treaty. In effect, Ukraine was trying to argue that its nuclear predicament was a legitimate exception, not an aberration to the nonproliferation regime. Yet Ukraine’s claim was too nuanced, the NPT was too comprehensive a regime, and Ukraine was too new a state to succeed in its endeavor to introduce a new category into the international normative space that

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<sup>550</sup> “Transcripts of Press Conferences and Interviews of President Kravchuk,” January 1993, Fond 5233, Opis 1, Delo 287, Central State Archive of Ukraine.

<sup>551</sup> “Transcript of President Kravchuk’s Interview to Argumenty I Fauty,” April 8, 1993, Fond 5233, Opis 1, Delo 288, Central State Archive of Ukraine.

<sup>552</sup> Ibid.



governed nuclear possession, and thus Ukraine's attempt to carve out an exception to the regime proved ultimately unsuccessful.

### **From Ownership to Renunciation**

Up until spring of 1993, the US-Ukrainian relations focused almost exclusively on the nuclear issue. The lack of understanding of the nature of Ukrainian demands with regards to nuclear weapons, their connection to the Ukrainian-Russian relations, and the refusal of the Bush administration to make any concessions to Ukraine until it ratified START and the NPT all compounded to weakened the position of the MFA moderates and intensified voices in the Rada urging to delay Ukraine's nuclear disarmament in view of its security situation. It is also conceivable that the West's overwhelming focus on nuclear disarmament served to elevate the value of nuclear weapons in the eyes of the Ukrainians. Indeed, Vitaliy Kataev, a high-ranking representative of the Soviet and then Russian defense industry thought the US pressure was misguided: "It would be advisable to stop asking Ukraine to transfer the nuclear warheads to Russia: after some time Ukraine itself will be asking us to do this, and it will have to pay for this transfer."<sup>553</sup>

The new Clinton administration that came to office in January 1993 initially continued their predecessor's stance toward Ukraine, which Ukrainians perceived as tough and indifferent to their interests. Perhaps, the Bush and early Clinton policy was underpinned not so much by particular toughness toward Ukraine, as relative lack of interest in Ukraine beyond the "nuclear problem." The overwhelming preoccupation of the US foreign policy establishment with Russia was hardly surprising. For one, Washington had a long-standing and well-established tradition of diplomatic relations with Moscow and American diplomatic corps was trained in Soviet, which essentially meant Russian, studies. For example, Strobe Talbott, who became Clinton's

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<sup>553</sup> Vitaliy Kataev, "Report 'About Strategic Nuclear Missiles and Other Weapons in Ukraine,'" September 16, 1994, Box 13, Folder 26, Vitaliy Kataev Collection, Hoover Institution Archive.

Ambassador-at-Large for Russia and Newly Independent States was a long time *Time* magazine Soviet correspondent, a fluent Russian speaker and a translator of Nikita Khrushchev's memoirs. Meanwhile, US relations with Ukraine were just in their infancy.

In addition, President Clinton was personally deeply committed to supporting President Yeltsin, often against the better judgment of his advisors. He regarded Yeltsin with his courage and larger-than-life personality as a genuine democrat, capable of transforming Russia into a market-oriented democracy.<sup>554</sup> There is no indication that he saw Kravchuk, a former communist ideologue, in a comparable way. As with its predecessor, Clinton administration saw Ukraine's woes not in the eminent threat from Russia, but in its internal dysfunction. As Strobe Talbott recounted in his memoirs, if in Russia, despite the efforts of Yeltsin's young reformers such as Yegor Gaidar and Boris Nemtsov, "post-communist reform was proving not up to the task; in Ukraine reform was virtually nonexistent."<sup>555</sup>

Washington was also particularly attentive to political instability in Russia, in view of the constitutional crisis that developed in Moscow in March and then again in September 1993 with Yeltsin narrowly prevailing over the unlikely yet formidable alliance of the communist and nationalist in the Russian parliament. The threat of a country like Russia relapsing from democratization, descending into civil war and chaos was exceedingly alarming and would have significant regional repercussions. According to Talbott, the administration acted on the theory that success in Russia was the key to lifting other former republics out of their own troubles.<sup>556</sup>

However, in early April 1993 a group of US congressmen arrived in Ukraine headed by the House majority leader Dick Gephardt and held a series of meetings with Ukrainian politicians.<sup>557</sup>

Like the Senators Nunn and Lugar a year prior, Representative Gephardt, upon his return to

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<sup>554</sup> Strobe Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy* (New York: Random House, 2002), 55–6.

<sup>555</sup> *Ibid.*, 79.

<sup>556</sup> *Ibid.*, 69.

<sup>557</sup> Ministry of Foreign Affairs of Ukraine, "Analytical Brief to President L. Kravchuk," February 1994, Fond 5233, Opis 1, Delo 444, Central State Archive of Ukraine.

Washington emphasized the need for a new approach to Ukraine that heeded its aspirations to build a strong independent state.<sup>558</sup> The continuing support for Ukraine in Washington on behalf of such public figures as Brzezinski, Kissinger and Nixon added to the growing realization that Ukraine may need to be treated as more than an afterthought to the Russia policy.

And so, in May 1993, the State Department led an interagency policy review, recognizing that the sole focus on nuclear matters in the US-Ukrainian relations, inherited from the Bush administration, may have been counterproductive.<sup>559</sup> The new policy orientation emphasized that broader political and economic partnership with the sovereign and independent Ukraine was in the best interest of the US and also offered to facilitate between Ukraine and Russia on the nuclear issue.<sup>560</sup> On May 10, Strobe Talbott arrived in Kyiv to discuss this revised approach and proposed a process of three-way negotiations consisting of himself, Ukraine's deputy foreign minister Boris Tarasiuk, and Russian deputy foreign minister Georgiy Mamedov.<sup>561</sup>

What could only be judged as a modest increase in the US involvement with Ukraine provoked a negative reaction on the Russian side. Even the liberal-leaning officials in the Yeltsin administration harbored a patronizing attitude toward Ukraine, whom they refused to accept as a properly independent nation. Georgiy Mamedov, who enjoyed a good working relationship with Talbott, warned him that the US should treat the relationship between Russia and Ukraine as a “family affair,” and any disagreement between the two as a “family feud.”<sup>562</sup> Russian Ambassador to the US Vladimir Lukin bluntly told Talbott that relations between Russia and Ukraine were “identical to those between New York and New Jersey,” and that the US would be

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<sup>558</sup> Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamicznykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 264.

<sup>559</sup> Sidney D Drell and James E Goodby, *The Gravest Danger: Nuclear Weapons* (Hoover Institution Press Publication no. 524, 2003), 79–80.

<sup>560</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 23 footnote 121; also in Drell and Goodby, *The Gravest Danger: Nuclear Weapons*, 78–90.

<sup>561</sup> Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 79–80.

<sup>562</sup> Recounted in *ibid.*, 80.

well advised to treat what happened within the former USSR as the contents of a “black box.”<sup>563</sup>

Nevertheless, in June 1993, US Defense Secretary Les Aspin and Strobe Talbott visited Kyiv to formally broach the new strategy and propose a Charter of US-Ukrainian Partnership. In addition, they offered increased denuclearization assistance upon the ratification of START, beyond the \$175 million from the CTR funds originally earmarked for Ukraine.<sup>564</sup> At the end of July 1993 in Washington, Ukraine’s defense minister Morozov and Secretary of Defense Aspin signed a Memorandum of Understanding and Cooperation between the two defense agencies.<sup>565</sup> Importantly, the summer of 1993 saw the commencement of senior-level trilateral negotiation process, providing the avenue Ukrainian leaders long sought to express their position directly to the US, instead of being dealt with through Russia.

The US-Ukrainian rapprochement came against the background of the increasingly staunch opposition to nuclear disarmament in the Rada. While the Rada stopped short of reneging on Ukraine’s commitment to denuclearize, its senior leadership demanded that robust and legally binding security guarantees be provided before it could ratify the START-Lisbon package.<sup>566</sup> The US-Ukrainian dialogue on security guarantees commenced immediately following the signature of the Lisbon Protocol, yet by mid-1993, the MFA had little to show for its diplomatic effort. In December 1992, upon Ukrainian request and after consultations with Washington, US Ambassador in Kyiv Roman Popadiuk presented to the MFA a draft of a US-Russian statement on security assurances. The draft included: 1) commitment not to use nuclear force or threat thereof against Ukraine and to seek UNSC action should Ukraine come under such threat, otherwise known, respectively, as positive and negative security assurances of NWS toward NNWS parties to the NPT; 2) commitment to respect Ukraine’s sovereignty, independence and

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<sup>563</sup> Ibid.

<sup>564</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 23.

<sup>565</sup> Zlenko, *Dyplomatiia I Polityka. Ukraïna v Protsezi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 269.

<sup>566</sup> “Letter of Foreign Minister of Ukraine A. Zlenko to President L. Kravchuk,” June 3, 1993, Fond 5233, Opis 1, Delo 280, Central State Archive of Ukraine.

the inviolability of borders and abstain from economic coercion, in accordance with the CSCE Final Act, and 3) commitment not to use force or threat of force against territorial integrity and political independence of Ukraine, in accordance with the UN Charter.<sup>567</sup>

Ukraine's deputy foreign minister Tarasiuk parlayed to Ambassador Popadiuk that reaffirming existing CSCE and UN multilateral commitments did not amount to sufficient guarantees of Ukraine's security.<sup>568</sup> Yet, Popadiuk retorted that the US was unlikely not undertake any stronger commitments, in which he would prove to be correct.<sup>569</sup> Likewise, there was little progress in trying to exert any security commitments from Russia, which agreed to recognize Ukraine's borders only "within the borders of the CIS," essentially making Ukraine's territorial integrity hostage to its CIS membership, a condition that Ukraine rejected.<sup>570</sup>

By June 1993, upon Rada's insistence, the MFA prepared a draft of a treaty on security guarantees between Ukraine and the P5. Importantly, in addition to assurances proposed by the US, the draft provided for a mechanism of consultations to be invoked should a situation threatening Ukraine's security arise:

The purpose of such consultations is to seek and adopt a set of measures, aimed at the guarantee (provision) of assistance to Ukraine in eliminating the threat to its national security, its state borders and its territorial integrity, as well as applying sanctions to the state that became the cause of such situation.<sup>571</sup>

The MFA likely discussed the draft of the treaty with Talbott and Aspin during their visits to Kyiv.<sup>572</sup> Yet despite the new tone in Washington, there was no move on the nature of security commitments the US was willing to pledge. According to Talbott, the best US could offer was

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<sup>567</sup> "Draft Joint US-Russia Statement on security assurances for Ukraine," December 10, 1992, Fond 5233, Opis 1, Delo 12, Central State Archive of Ukraine.

<sup>568</sup> "Report of the Meeting of Ukrainian Deputy Foreign Minister B. Tarasiuk with US Ambassador R. Popadiuk," January 13, 1993, Fond 1, Delo 7039, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>569</sup> Ibid.

<sup>570</sup> "Minutes of the Meeting of Ukrainian Deputy Foreign Minister B. Tarasiuk with Ambassador-at-Large of the Ministry of Foreign Affairs of the Russian Federation M. Streltsov," January 12, 1993, Fond 1, Delo 7039, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>571</sup> "Draft Treaty on National Security Guarantees for Ukraine in connection with her accession to the 1968 Nuclear Non-Proliferation Treaty," June 3, 1993, Fond 5233, Opis 1, Delo 280, Central State Archive of Ukraine.

<sup>572</sup> "Letter of Foreign Minister of Ukraine A. Zlenko to President L. Kravchuk."

to “help finance the return of the warheads to Russia, where they would be dismantled with American economic and technical assistance, in exchange for Moscow’s assurance, underwritten by the U.S., that Russia would respect Ukraine’s independence.”<sup>573</sup> In other words, instead of undertaking additional obligations, the US was prepared to put pressure on Russia to revise its particular formulation guaranteeing Ukraine’s territorial integrity “within the borders of the CIS.” Thus, despite Ukraine’s best efforts, neither the US, nor other nuclear states were willing to undertake any additional obligations than those pledged in other multilateral forums. In addition, the US was willing to offer only political “assurances,” not legally binding “guarantees.” A legally binding international treaty would require ratification by the legislatures of the signatory states, a perilous political process that could take a long time.

Nevertheless, the new momentum created by Clinton’s State Department policy review, while not solving underlying political dilemmas, created smaller opportunities that eventually proved important. For one, a greater US involvement moved the process of nuclear negotiations beyond the Russian-Ukrainian realm and imbued it with the international, multilateral aspect that was important for Ukraine. Another opportunity was created by a compromise strategy of early deactivation entailing separation of the warheads from their delivery vehicles, which would warrant the extension of some US aid prior to the ratification of START.<sup>574</sup> As part of this new approach, the US SSD delegation, now headed by Ambassador James Goodby, made remarkable progress throughout the summer and fall of 1993 in negotiating early deactivation and finalizing the framework agreement necessary for the release of technical assistance funds.<sup>575</sup>

However, while the US-Ukrainian relations were being reformulated, the tensions in Ukrainian-Russian relations were at an all-time high. In June 1993, the façade of the CIS joint strategic command finally collapsed: its commander Marshal Shaposhnikov resigned to take the post of

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<sup>573</sup> Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 79.

<sup>574</sup> Drell and Goodby, *The Gravest Danger: Nuclear Weapons*, 80.

<sup>575</sup> Ibid., 85–6.

the head of the Russian Security Council and the control over all nuclear weapons was formally transferred to the Russian Ministry of Defense. The following month, the Rada passed a law outlining main principles of Ukraine's foreign policy that minced no words and stated that "as a result of historical events, Ukraine became the owner of nuclear weapons."<sup>576</sup> The Russian lawmakers promptly responded by declaring Sevastopol in Crimea a Russian city.<sup>577</sup>

After the collapse of the Kostenko-Dubinin process in the spring of 1993, Kravchuk and Yeltsin, who had a decent working relationship, resolved to continue nuclear negotiations on the level of the presidents. Yeltsin agreed to discuss the compensation for the HEU contained in strategic (although not tactical) nuclear weapons, but as a gesture of Russia's good will, not as a matter of Ukraine's entitlement.<sup>578</sup> For awhile it seemed like the presidents were making good progress. Over the summer of 1993, Yeltsin and Kravchuk had agreed on the idea of a "trilateral accord" that would resolve the problem on Ukrainian nuclear arms as a package.<sup>579</sup> A Russian-Ukrainian summit was scheduled for September 3, 1993 in the Crimean town of Massandra to address the contentious division of the BSF, but also to agree a general protocol and procedural agreement on dismantling nuclear weapons, as well as the agreement on the maintenance of nuclear weapons.

However, in the wake of Russian-Ukrainian tensions and lack of trust on both sides, Massandra proved a fiasco. At the signing, Ukrainians realized that the protocol, drafted by the Russian side, stated that "all" nuclear warheads stationed in Ukraine would be transferred within 24-months period, whereas the Ukrainian side wanted the document to read "nuclear warheads

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<sup>576</sup> Verkhovna Rada of Ukraine, *Postanova pro Osnovni Napriamy Zovnishnioi Polityky Ukrainy* [Resolution on the Main Principles of the Foreign Policy of Ukraine, July 2, 1993, <http://zakon2.rada.gov.ua/laws/show/3360-12>.

<sup>577</sup> Verkhovny Sovyet of the Russian Federation, *Postanovleniie "O Statuse Goroda Sevastopolya"* [Resolution on the Status of the City of Sevastopol], July 9, 1993, <http://pravo.gov.ru/proxy/ips/?docbody=&nd=102024769&intelsearch=%D1%E5%E2%E0%F1%F2%EE%EF%EE%EB%FF+5359+1993>.

<sup>578</sup> Office of the President of the Russian Federation, "Pismo Prezidentu Ukrainy L.M. Kravchuku [Letter to the President of Ukraine L.M. Kravchuk]," April 30, 1993, Fond 1, Delo 7063, List 120-123, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>579</sup> Strobe Talbott recounted Yeltsin's announcement to this effect at the July 1993 G-7 meeting in Tokyo. Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 83.

covered by [START],” which would exclude the 46 SS-24 ICBMs.<sup>580</sup> Kravchuk’s advisor on foreign affairs Anton Buteiko penciled corrections on the fields of the document but neglected to have them initialed by both sides.<sup>581</sup> Hence, the two sides came out of the meeting with different understandings of what had been signed. Tellingly, Massandra meant that Ukraine’s executive was pursuing Rada’s vision of the two-stage disarmament process, that is, START reductions first, the NPT and complete disarmament later.

Behind the outward failure of Ukrainians and Russians to agree on just about anything, the US conducted what Strobe Talbott called “quiet but arduous shuttle diplomacy between the two sides.”<sup>582</sup> Talbott described that going between Kyiv and Moscow in the fall of 1993 was like passing through a looking glass:

From the Russian perspective, everything the Ukrainians did was stupid, childish, reckless, ungrateful and proof that their country had no business being independent. As the Ukrainians saw it, everything Russia did was malevolent, menacing and unfair, and validated hanging on to “their” missiles.<sup>583</sup>

The summer and fall of 1993 became an important and interesting time in the story of Ukraine’s denuclearization during which two countervailing trends became increasingly amplified. On the one hand, greater American diplomatic effort moved the process along behind the scenes. In July 1993, Ukrainian and Russian specialists began dismantling the first 10 SS-19 ICBMs at Pervomaysk, a process that was completed by the end of September 1993.<sup>584</sup> Furthermore, on October 25, 1993, US Secretary of State Warren Christopher visited Kyiv to sign the so-called umbrella agreement governing the extension of the initial \$175 million in CRT funds for the

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<sup>580</sup> Text of the protocol with different wordings is available in John Lepingwell, “Negotiations over Nuclear Weapons: The Past as Prologue?,” *RFL/RE Research Report* 3, no. 4 (January 28, 1994): 6.

<sup>581</sup> For an excellent detailed account of what happened at Massandra, see Mitchell Reiss, *Bridled Ambition: Why Countries Constrain Their Nuclear Capabilities* (Woodrow Wilson Center Press, 1995), 108–110.

<sup>582</sup> Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 107.

<sup>583</sup> *Ibid.*, 108.

<sup>584</sup> Skootsky, “An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994,” 75–6.



dismantlement of nuclear armament to the Ukrainian government as well as the agreement committing further \$177 million of US assistance for denuclearization.<sup>585</sup>

On the other hand, Ukraine's domestic political opposition to immediate denuclearization solidified: the contention at Massandra and the pronouncements of Ukraine's leaders from Kostenko, to Pavlychko, to Kuchma all indicated a strong support for the retention of the 46 SS-24 ICBMs for an indefinite period. According to survey data, public support for the retention of nuclear weapons soared to over 45% in the fall of 1993, compared to just 18% in early 1992, with as much as 70% respondents in Western Ukraine supporting the retention of nuclear weapons.<sup>586</sup> Despite movement on the release of the US aid, Ukrainian officials, including foreign minister Zlenko and defense minister Morozov, insisted that the amount was inadequate, putting forth the figure of \$2-3 billion.<sup>587</sup>

#### *Conditional Ratification of START-I/Lisbon*

The tensions between these two countervailing trends came to a head when the Rada finally voted on the START-Lisbon package on November 18, 1993, and did so with extensive reservations. Not surprisingly, these reflected the position of political hedging that prevailed in the Rada. Citing the 1983 Vienna Convention on Succession to State Property, the Rada staked the familiar claim to ownership of the nuclear weapons located on Ukraine's territory.<sup>588</sup> Importantly, it decoupled START and the NPT by rejecting Article 5 of the Lisbon Protocol under which Ukraine pledged to join the NPT as a NNWS, and treated Ukraine's obligations as proportional reductions of 36% of delivery vehicles and 42% of warheads provided by

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<sup>585</sup> Ibid., 79.

<sup>586</sup> Zaborsky, *Nuclear Disarmament and Nonproliferation: The Evolution of the Ukrainian Case*, 17–18.

<sup>587</sup> Skootsky, "An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994," 76, 79.

<sup>588</sup> Verkhovna Rada of Ukraine, *Postanova pro ratyfikatsiïu Dobovoru mizh Soiuzom Radianskykh Sotsialistychnykh Respublik i Spoluchenyymi Shtatamy Ameryky pro skorochennia i obmezchennia stratehichnykh nastupal'nykh ozbroien', pidpysanoho u Moskvi 31 lypnia 1991 roku, i Protokolu do nioho, pidpysanoho u Lisaboni vid imeni Ukrainy 23 travnia 1992 roku* [Resolution on Ratification of the Treaty Between the Union of Soviet Socialist Republics and the United States of America on Strategic Arms Reductions and Limitations Signed in Moscow on July 31, 1991 and its Protocol Signed in Lisbon on Behalf of Ukraine on May 23, 1992, November 18, 1993, <http://zakon3.rada.gov.ua/laws/show/3624-12>.

START.<sup>589</sup> The full ratification was made contingent on security guarantees from all nuclear states and compensation for the fissile material contained in both tactical and strategic warheads.

The move met a uniformly negative international response. Unsurprisingly, Russia and the US emerged as the staunchest of critics, refusing to accept the vote as an act of ratification at all. Evidently anticipating this negative reaction, the MFA mounted an intense diplomatic campaign in late November and December 1993 aimed at explaining the nature of Ukraine's demands to the international community. The MFA insisted that the ratification, albeit conditional, was a step in the right direction. Foreign minister Zlenko, speaking at a meeting of the foreign ministers the CSCE countries in Rome in late November, presented Ukraine's conditional ratification of START as "an important step that opens the way for Ukraine to join the NPT."<sup>590</sup>

Russia's Foreign Minister Kozyrev, speaking at the same CSCE meeting, rejected Zlenko's claims and sharply stated that Ukraine's actions, for the first time since the signature of the NPT in 1968, were reversing the process of strengthening the nonproliferation regime in Europe.<sup>591</sup> In an official statement by the Russian government, the conditional ratification was treated as a "grave violation of Ukraine's international commitments," and, issued a thinly veiled threat to discontinue servicing the nuclear armaments on Ukraine's territory.<sup>592</sup> The statement claimed that Ukraine's reservations invalidated the ratification altogether since they were incompatible with Article 19 of the 1969 Vienna Convention on the Law of Treaties.<sup>593</sup> Russia's permanent

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<sup>589</sup> Ibid., Sections 2 and 6.

<sup>590</sup> "Report of the Ministry of Foreign Affairs of Ukraine "On the Reaction of Foreign Officials and Mass Media to the Ratification by the Verkhovna Rada of START and Lisbon Protocol," December 16, 1993, Fond 5233, Opis 1, Delo 178, Central State Archive of Ukraine.

<sup>591</sup> Ministry of Foreign Affairs of Ukraine, "Analitichna Dovidka Prezydentu L. Kravchuku [Analytical Brief for President L. Kravchuk]," December 1, 1993, Fond 5233, Opis 1, Delo 280, Central State Archive of Ukraine.

<sup>592</sup> "Zaiavleniie Pravitel'stva Rossiiskoi Federatsii [Statement of the Government of the Russian Federation]," November 26, 1993, Fond 5233, Opis 1, Delo 280, Central State Archive of Ukraine.

<sup>593</sup> Ibid. Article 19 on "Formulation of reservations" of the Vienna Convention on the Law of Treaties reads: "A State may, when signing, ratifying, accepting or acceding to a treaty, formulate a reservation unless: (a) The reservation is prohibited by the treaty; (b) The treaty provides that only specified reservations, which do not include the reservation in question, may be made; or (c) In cases not falling under sub-paragraphs (a) and (b), the reservation is incompatible with the object and purpose of the treaty." See *Vienna Convention on the law of treaties, No. 18232*, concluded on May 23, 1969, <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>

representative to the UN called a meeting of UN Security Council and “in a harsh tone” proposed that Security Council take action against Ukraine, although other members of the Council declined the Russian proposal.<sup>594</sup>

The MFA carefully monitored the international response and concluded that the strongest reaction came from the nuclear states. The Ukrainian embassy in Washington reported that the US government reaction has been “overwhelmingly negative.”<sup>595</sup> The UK Foreign Office circulated a statement in which it stressed that it “deeply regrets” Ukraine’s decision not to abide by the Article 5 of the Lisbon protocol, while French officials expressed “alarm.”<sup>596</sup> The only exception in this backlash was China, which simply stated that it supported the idea of total nuclear disarmament and emphasized that it was the only nuclear state with the unwavering no-first-use policy.<sup>597</sup>

Among non-nuclear states, the reaction was more muted, with the notable exception of Canada and Norway. A Canadian foreign ministry representative expressed a “disappointment” with Ukraine’s decision and stressed that nuclear weapons will not provide security.<sup>598</sup> The European Union and individual European countries, such as the countries of Benelux, Austria, Germany and Hungary were more lenient and while expressing hope for complete denuclearization of Ukraine, also communicated a degree of understanding of Ukraine’s position.<sup>599</sup> In fact, Ukrainian diplomats reported unofficial statements by some Hungarian and Austrian officials that it was not the appearance of a new nuclear state at their borders that alarmed them but the foreign policy of Russia, the fear of which was forcing Ukraine to retain part of its nuclear

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<sup>594</sup> Ministry of Foreign Affairs of Ukraine, “Analitychna Dovidka Prezydentu L. Kravchuku [Analytical Brief for President L. Kravchuk],” December 1, 1993.

<sup>595</sup> Office of the Minister of Foreign Affairs of Ukraine, “Letter to President L. Kravchuk,” November 24, 1993, Fond 5233, Opis 1, Delo 280, Central State Archive of Ukraine.

<sup>596</sup> Ibid.

<sup>597</sup> Ministry of Foreign Affairs of Ukraine, “Analitychna Dovidka Prezydentu L. Kravchuku [Analytical Brief for President L. Kravchuk].”

<sup>598</sup> Office of the Minister of Foreign Affairs of Ukraine, “Letter to President L. Kravchuk.”

<sup>599</sup> Ibid.

arsenal.<sup>600</sup>

Furthermore, Turkey was fully supportive of Ukraine's demands of security guarantees from the West and its stance vis-à-vis Russia. During a meeting with the Ukrainian ambassador, Turkish Foreign Minister Hikmet Cetin stated that "...if the West continues to deal only with Russia and to ignore the existence and legitimate demands of Ukraine and other newly independent states, the situation on the territory of the former Soviet Union will never improve."<sup>601</sup> Not surprisingly, Iran was fully understanding of Ukraine's claim to ownership of the nuclear weapons, while Israel's reaction was "careful and reserved."<sup>602</sup> Overall, the Ukrainian MFA reported that the negative reaction to Ukraine's ratification of START came from the nuclear states and described the reaction of nonnuclear states as "calm, balanced and constructive."<sup>603</sup>

### *The Trilateral Statement*

At this critical juncture, the whole prospect of a nuclear deal with Ukraine hung in the balance. It was helpful that at the time of Rada's conditional ratification of START many of the pieces of the nuclear settlement between Ukraine, Russia and the US were already in place: the umbrella agreement and the additional US aid, the idea of the trilateral statement and Russia's agreement in principal to recognize Ukraine's borders unconditionally. Yet to compound the problem of Rada's highly qualified stance on Ukraine's nuclear obligations, Russia's snap parliamentary elections on December 12, 1993, yielded an unexpectedly strong victory of nationalists and communists, including radicals such as the audacious Vladimir Zhyrinovski who repeatedly advocated re-absorption, by force if necessary, of Russia's former dominions. According to

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<sup>600</sup> Ministry of Foreign Affairs of Ukraine, "Analitichna Dovidka pro Reaktsiiu Zarubizhnykh ZMI Ta Posadovykh Osib Na Ratyfikatsiiu Verkhovnoi Radoi Ukraïny Dohovoru pro SNO Na Lisabons'koho Protokolu (za Period Z 25 Lystopada Do 6 Hrudnia 1993 Roku) [Analytical Brief on the Reaction of the Foreign Mass Media and Officials to the Ratification by the Verkhovna Rada of Ukraine of the START Treaty and the Lisbon Protocol (for the Period From November 25 to December 6)]," December 16, 1993, Fond 5233, Opis 1, Delo 280, List 197-203, Central State Archive of Ukraine.

<sup>601</sup> Ibid.

<sup>602</sup> Ibid.

<sup>603</sup> Ibid.

Talbott, this hardened the Ukrainian position, but also caused Russians to backtrack from the deal, as they feared that the new parliament would be hostile to it.<sup>604</sup>

For the Clinton Administration, however, these developments drove home the need to extend greater support for Yeltsin and the Russian reformers and quickly remove distracting and contentious issues such as Ukraine's denuclearization. Thus, despite the initial harsh statements, the Clinton administration stepped up the diplomatic effort. On December 16, US deputy secretary of defense William Perry and Ambassador Talbott together with Russian deputy foreign minister Mamedov flew to Kyiv to conduct intense negotiations with their Ukrainian counterparts during which the broad outlines of a comprehensive trilateral deal were hashed out.<sup>605</sup> To force the issue to a resolution, the US proposed that the deal be finalized within a month and prepare it for signature of the three presidents during Clinton's visit to Moscow scheduled for mid-January 1994.<sup>606</sup>

The following day, Kravchuk's foreign affairs advisor Anton Buteiko, who participated in the meeting, shared his impressions with President Kravchuk in a hurried letter: the US indeed appeared keen on pressuring Russia to resolve the question of compensating Ukraine for the nuclear armaments, although, he stated somewhat cryptically, they wanted to achieve this "at Ukraine's expense."<sup>607</sup> With a pronounced sense of urgency in view of the looming deadline, Buteiko outlined Ukraine's position in an attachment to the letter. One, Ukraine would agree to the early deactivation of all strategic missiles, including the SS-24s, if security guarantees it received were to Ukraine's satisfaction and if Russia agreed in principle to compensate Ukraine for the fissile material contained not only in strategic, but also in tactical nuclear weapons transferred to Russia, although the precise form and amount of such compensation was not

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<sup>604</sup> Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 108.

<sup>605</sup> Ibid., 109.

<sup>606</sup> Steven Pifer, interview by Mariana Budjeryn, March 24, 2015. Pifer joined the State Department in August 1993 as a special advisor to Strobe Talbott on Russian-Ukrainian nuclear negotiations.

<sup>607</sup> Advisor to the President of Ukraine on Foreign Affairs A. Buteiko, "Lyst Prezydentovi Ukraïny L. Kravchuku [Letter to the President of Ukraine L. Kravchuk]," December 17, 1993, Fond 5233, Opis 1, Delo 280, List 210, Central State Archive of Ukraine.

specified.<sup>608</sup> Two, Ukraine would begin in March 1994 the transfer the first 200 warheads, about 10% of the total, to Russia for dismantlement. In return, Russia would ship fuel assemblies for Ukraine's nuclear power stations, containing 100 metric tons of LEU, which constitutes about 10% of the total compensation for the 60 metric tons of HEU contained in all strategic warheads out of Ukraine.<sup>609</sup> The cost of the delivery of the fuel assemblies to Ukraine would be underwritten by \$60 million the US would release as advance payment in the Russian-US HEU purchase deal.<sup>610</sup> Three, Russia would continue servicing and maintaining nuclear weapons systems on Ukraine's territory until their complete dismantlement, and together with the US would assist Ukraine in concluding a safeguards agreement with the IEAE before Ukraine joins the NPT.<sup>611</sup>

On December 20, 1993, President Kravchuk and President Clinton held an important telephone conversation, in which Kravchuk shrewdly distanced himself from the Rada's decision, and confirmed his willingness to deactivate the SS-24 ICBMs, a move that persuaded the White House that Ukraine's executive was acting in good faith.<sup>612</sup> In addition, the accounting and ratios contained in Buteiko's outline were not in themselves controversial and had already been worked out by Russia and Ukraine in the preparation for the Massandra summit. Only two unsettled issues remained: the compensation for the tactical nuclear weapons, on which Russia pushed back, and the timeline for the transfer of strategic warheads, which Ukraine wanted to be 7 years as stipulated by START-Lisbon and Russia insisted should be 24 months, as agreed in Minsk in 1991.<sup>613</sup>

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<sup>608</sup> Ibid., List 211–213.

<sup>609</sup> Advisor to the President of Ukraine on Foreign Affairs A. Buteiko, "Lyst Prezydentovi Ukraïny L. Kravchuku [Letter to the President of Ukraine L. Kravchuk]."

<sup>610</sup> Ibid.

<sup>611</sup> Ibid.

<sup>612</sup> Military Attaché of Ukraine in the US Colonel I.P. Smeshko, "Informatsiia pro Besidu Iz Pomichnykom Ministra Oborony SShA, Nachal'nykom Viddilu Rosiï, Ukraïny I Ievrazii U Ofisi Ministra Oborony SShA D-Rom Shermanom Garnettom [Information about the Meeting with Assistant Secretary of Defense, Head of the Russia, Ukraine and Euroasia Department of the US Department of Defense Dr. Sherman Garnett]," December 6, 1993, Fond 1, Delo 6950, Archive of the Ministry of Foreign Affairs of Ukraine.

<sup>613</sup> Pifer, interview.

On January 3-5, 1994, the three parties met in Washington, where they finalized the text of the Trilateral Statement that included security assurances, and the annex containing the details of the HEU-LEU swap. Importantly, an agreement was also reached on the two contentious issues: the Ukrainians yielded to the Russian 24 months timeline and the Russians yielded on the issue of tactical nuclear weapons for which Russia agreed to write off a portion of Ukraine's energy debt worth about \$1 billion.<sup>614</sup> However, since neither the Ukrainians, nor the Russians wanted these concessions to be publicized to their domestic audiences, the parties agreed to record them in separate confidential letters.<sup>615</sup>

On January 12, 1994, President Clinton on his way to Moscow made a stop at the Kyiv Boryspil airport to shake hands on the finalized deal with President Kravchuk before it was due to be signed in Moscow. Kravchuk has been lobbying for an official visit of the US President to Ukraine, a symbolic move that would demonstrate American commitment and good will toward Ukraine beyond the pressure on the nuclear issue and possibly help resolve it. Yet the White House would not agree to such a visit given Ukraine's controversial ratification of START and the fear that the conservatives in the Russian Duma who were opposed to the American involvement with Ukraine from the start would force Yeltsin to back out.<sup>616</sup>

The compromise stop-over in the Boryspil VIP lounge turned out to be less than either party expected. According to Talbott, the American delegation got the impression that Kravchuk, under the influence of his advisor Buteiko and foreign minister Zlenko, had second thoughts and wanted to reopen some unspecified issues "that we had already spilt blood to close."<sup>617</sup> Talbott described President Clinton and Secretary Christopher reacting by literally "roughing up" Kravchuk, who was told "in the bluntest of terms that if he backs out of the deal that had already been made it would be a major setback for Ukraine's relations with both Russia and the

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<sup>614</sup> Ibid.; Skootsky, "An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994," 84.

<sup>615</sup> Pifer, interview.

<sup>616</sup> Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*, 112.

<sup>617</sup> Ibid.

U.S.”<sup>618</sup>

According to Buteiko’s recollections, however, the Ukrainian side regarded the issues on the table as too important to be finalized on the “working level” of negotiators and advised that President Kravchuk did not agree to the final version of the document until he heard the position of the US “directly from the mouth of their president.”<sup>619</sup> It is unclear whether the incident in the Boryspil airport was a genuine misreading of the negotiation process by the two presidents, or whether did Kravchuk indeed have last-minute misgivings about the deal. Certainly, given no substantive concessions on the security assurances the US was willing to pledge and their non-binding format, Kravchuk was facing a difficult time of convincing the Rada to remove its reservations. Indeed, the Ukrainians insisted that the copies of the Trilateral statement and its Annex be at least printed on the special treaty paper suggesting that in the final states of negotiations they were grabbing at every straw.<sup>620</sup> At the same time, as Talbott’s account suggests, while the Americans thought of themselves and the Russians as “negotiating,” they thought of Ukrainians as “haggling,” for which there seemed to have been little patience given the other major issues preoccupying American policy-makers such as managing NATO expansion and increasingly volatile Russia.<sup>621</sup>

On January 14, 1994, in a brief and somber ceremony in Moscow, Presidents Clinton, Yeltsin and Kravchuk signed the Trilateral Statement whereby Ukraine’s commitment to fully denuclearize and the US and Russia extended security assurances to Ukraine. These by far fell short of the guarantees Ukraine sought, yet were more than the assurances, conditioned on CIS membership, which Russia had previously been willing to pledge. The US and Russian security

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<sup>618</sup> Ibid.

<sup>619</sup> Lyuba Shara, “Ukraiinske Rozzbroiennia Ochyma Stroba Talbotta [Ukrainian Disarmament through the Eyes of Strobe Talbott],” *Dzerkalo Tyzhnia*, July 26, 2002, [http://gazeta.dt.ua/POLITICS/ukrayinske\\_rozzbroennya\\_ochima\\_stroba\\_telbota.html](http://gazeta.dt.ua/POLITICS/ukrayinske_rozzbroennya_ochima_stroba_telbota.html).

<sup>620</sup> Pifer recounted battling with the copy machine at the US mission in Moscow well into the early hours of January 14, to print the three sets of documents (in English, Russian and Ukrainian) on the extra thick Ukrainian treaty paper. Pifer, interview.

<sup>621</sup> See Chapters 3 and 4 of Talbott, *The Russia Hand. A Memoir of Presidential Diplomacy*.



commitments included general negative and positive nuclear assurances of NWS toward NNWS party to the NPT, as well as the familiar reaffirmation of commitments to respect Ukraine's sovereignty and territorial integrity per Helsinki Final Act of the Conference on Security and Cooperation in Europe (CSCE).<sup>622</sup> Importantly, they contained assurances against economic coercion, which was important to Ukraine in view of its dependency on Russian energy imports.

The Annex to the Trilateral statement recorded the details of the HEU-LEU swap and stipulated that the first 200 warheads would be transferred to Russian in the course of the following ten months with the rest following "in the shortest possible time."<sup>623</sup> As agreed earlier in Washington, the more precise timing of 24 months was recorded in an unpublished confidential letter, as was the controversial issue of compensation for the tactical nuclear weapons in the form of Ukraine's energy debt write-offs.<sup>624</sup> The compensation had more than just pecuniary significance for Ukraine: in effect it was a tacit recognition of Ukraine's right to nuclear weapons as the property to be compensated for.

Following the signing of the Trilateral Statement, President Kravchuk addressed the Rada with a letter assuring the MPs that their conditions had been met. The letter emphasized the US and Russian commitments to respect its territorial integrity, independence and sovereignty and to abstain from economic coercion.<sup>625</sup> That Kravchuk did not even mention those assurances pertaining to the use of nuclear force goes to show that considerations of the Ukrainian decision-makers centered on political and conventional-military, rather than nuclear threats to Ukraine's statehood. Instead, Kravchuk stressed the political significance of the Trilateral Statement in having demonstrated that "Ukraine, United States and Russia now cooperate as

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<sup>622</sup> Appendix I in Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons*, 34–35.

<sup>623</sup> Appendix I *ibid.*, 35.

<sup>624</sup> Victor Zaborovsky, *Nuclear Disarmament and Nonproliferation: The Evolution of the Ukrainian Case*, CSIA Discussion Paper (Kennedy School of Government, Harvard University, June 1994), 29.

<sup>625</sup> Office of the President of Ukraine, "Lyst Holovi Verkhovnoi Rady Ukraïny I.S. Plyushchu [Letter to the Speaker of the Verkhovna Rada of Ukraine I.S. Plyushch]," January 24, 1994, Fond 1, Opis 16, Delo 4964, Central State Archive of Ukraine.

fully-fledged and equal partners.”<sup>626</sup> Given the circumstances of negotiation and signing of the Trilateral agreement, such Kravchuk’s assurances were at best half-hearted. Many MPs found the letter unconvincing and the Rada foreign relations committee, chaired by Pavlychko, decided that the Trilateral Statement was inconsistent with a number of Rada’s conditional clauses.<sup>627</sup>

Kravchuk persisted: on February 3, 1994, he and foreign minister Zlenko personally addressed the Rada, arguing that nuclear weapons posed a threat rather than a guarantee of Ukraine’s national security, as well as emphasizing the grave international reaction to the Rada’s conditional ratification of START, and in the end managed to convince the Rada to lift its reservations.<sup>628</sup> Despite President Kravchuk’s efforts, the Rada refused, however, to ratify the NPT in the same vote.

#### *Ratification of the NPT and the Budapest Memorandum*

With the decision to deactivate the SS-24s and the full ratification of START-Lisbon, Rada’s position on prolonging Ukraine’s nuclear ownership was effectively defeated. To the surprise of the American side, Ukraine and Russia quickly agreed the logistical schedules and technical details pertaining to the transfer of the warheads.<sup>629</sup> The removal of the warheads commenced in March 1994, and by May of that year the Russian and Ukrainian defense agencies reported that

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<sup>626</sup> Ibid.

<sup>627</sup> “Protocol No. 99 of the Foreign Relations Committee of the Verkhovna Rada,” January 26, 1994, Fond 1-P, Opis 1, Delo 2104, Central State Archive of Ukraine.

<sup>628</sup> Verkhovna Rada of Ukraine, “Stenohrama Plenarnoho Zasedannia. Zasedannia P’iatnadsiate [Transcript of the Plenary Session. Session Fifteen],” February 3, 1994, 91–119, <http://portal.rada.gov.ua/meeting/stenogr/show/4261.html>; Verkhovna Rada of Ukraine, *Postanova Pro vykonannia Prezydentom Ukrainy ta Uriadom Ukrainy rekomendatsiy, shcho mistiat’sia v punkti 11 Postanovy Verkhovnoi Rady Ukrainy "Pro Ratyfikaciiu Dobovoru mizh Soizom Radians’kykh Sotsialistychnykh Respublik i Spoluchenyymy Shtatamy Ameryky pro skorochennia i obmezhenia stratehichnykh nastupal’nykh ozbroien’, pidpysanoho u Moskvi 31 lypnia 1991 roku, i Protokolu do niobo, pidpysanoho u Lisaboni vid imeni Ukrainy 23 travnia 1992 roku* [Resolution On Fulfillment by the President of Ukraine and Government of Ukraine of the Verkhovna Rada Recommendations contained in point 11 of the Resolution of the Verkhovna Rada of Ukraine on the Ratification of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the reduction and limitation of strategic offensive arms, signed in Moscow on July 31, 1991, and its Protocol signed in Lisbon on behalf of Ukraine on May 23, 1991], February 3, 1994, <http://zakon4.rada.gov.ua/laws/show/3919-12>.

<sup>629</sup> Pifer, interview.

all of Ukraine's SS-24 ICBMs have been deactivated, their flight patterns deprogrammed and some 180 nuclear warheads delivered to Russia.<sup>630</sup>

Throughout most of 1994, the mechanics of Ukraine's denuclearization were drowned out by the country's internal political struggles precipitated by the burgeoning economic crisis that came to a head in 1993 and resulted in early parliamentary and presidential elections. In the early parliamentary elections in spring of 1994, centrist and national-democratic candidates were less successful than in the previous election and took under 20% of the 450 seats in the Rada.<sup>631</sup> The early presidential elections in June of that year brought former Prime Minister Leonid Kuchma to presidency on a program of economic reform and normalization of relations with Russia.

Meanwhile, Ukraine's ratification of the NPT and thus, the entry into force of START, was still not accomplished. Keen to see Ukraine's accession prior to the 1995 NPT Review and Extension Conference, the US renewed the diplomatic effort to convince Ukraine to join the treaty. In September 1994, Thomas Graham of ACDA traveled to Kyiv and addressed the Rada senior leadership. His principal message was that the NPT was a "Club of Civilization" and it was high time that Ukraine joined.<sup>632</sup> While Graham reported that his meetings in Kyiv were generally positive, the Ukrainians nevertheless continued to demand that the security guarantees they obtained in the Trilateral statement be formalized in a public high-level international document.<sup>633</sup> The US conceded and it was decided to sign such a document in December, at the sidelines of the CSCE summit in Budapest, Hungary.

The onus was now on the new Rada, which was due to vote on the instrument of NPT ratification on November 16. During the deliberations, Ukraine's new foreign minister Hennadiy Udovenko repeated much of what his predecessor had said in relation to START-

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<sup>630</sup> Skootsky, "An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994," 89-90.

<sup>631</sup> Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith*, 134-137.

<sup>632</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 142.

<sup>633</sup> Ibid.; Zlenko, *Dyplomatiia i Polityka. Ukraïna v Protsesi Dynamichnykh Heopolitychnykh Zmin [Diplomacy and Politics. Ukraine in the Process of Dynamic Geopolitical Changes]*, 374.

Lisbon ratification: Ukraine's "theoretical" nuclear ownership was politically, economically and technologically untenable.<sup>634</sup> Against the unwillingness of Ukraine's interlocutors to acknowledge any such status for Ukraine, the concessions Ukraine managed to receive in the form of compensation for the HEU and security guarantees, was already a remarkable accomplishment.<sup>635</sup>

Udovenko emphasized the US, UK and Russia were undertaking to sign a "multilateral international-legal document" of great political significance and uniqueness, pledging security "guarantees" to Ukraine. (Indeed, what counted as security "assurances" in all English-language documents, was consistently referred to and translated as "guarantees" [*barantiui*] in Ukrainian documents and pronouncements.) He stressed that of all the states that acceded to the NPT as NNWSs, Ukraine was the only one to receive such formalized "guarantees" in a high-level document signed by the heads of nuclear states.<sup>636</sup> President Kuchma, who as a prime-minister had favored the retention of nuclear arms, also addressed the Rada, emphasizing that due to the series of decisions of the country's earlier leadership, Ukraine was too far vested in the process of disarmament, and simply had no other viable alternative but to ratify the NPT.<sup>637</sup> Those who might have regarded nuclear weapons as a guarantee of Ukraine's national security, Kuchma assured: "Retention, not to mention production, of the nuclear weapons would make Ukraine so dependent on other nuclear states, first of all Russia, that one could hardly speak of any independence or sovereignty."<sup>638</sup>

The Rada voted overwhelmingly to ratify the treaty, however, once again with reservations. The Rada still insisted that Ukraine was the owner of the weapons it was relinquishing and that the

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<sup>634</sup> Verkhovna Rada of Ukraine, "Stenohrama Plenarnoho Zasedannia. Zasedannia Trydtsiat' Druhe [Transcript of the Plenary Session. Session Thirty Two.], November 16, 1994, 7–9, <http://portal.rada.gov.ua/meeting/stenogr/show/3573.html>.

<sup>635</sup> Ibid., 11.

<sup>636</sup> Ibid., 13.

<sup>637</sup> Ibid., 70.

<sup>638</sup> Ibid., 71.

NPT did not adequately capture Ukraine's unique situation.<sup>639</sup> The Rada also hedging against the inadequacy of security commitments Ukraine was due to receive in return. Article 4 of the accession instrument stated that Ukraine would treat the use or threat of force against its territorial integrity and inviolability of borders, as well as economic coercion by a nuclear state, as "extraordinary circumstances that jeopardize its supreme interests," a formulation taken verbatim from Article X of the NPT on withdrawal from the Treaty.<sup>640</sup>

The Russian government was quick to take notice of the language on nuclear ownership. In a statement issued on November 17, the Russian foreign ministry welcomed the efforts of the Ukrainian leadership to resolve the issue of Ukraine's accession to the NPT.<sup>641</sup> At the same time, the statement continued:

We cannot ignore the fact that the adopted law [on NPT accession] stipulated some conditions. The content of these terms makes unclear the status – nuclear or non-nuclear – in which Ukraine is planning to join the NPT... These questions must be answered because the NPT depositaries are now completing the drafting of a document on security guarantees for Ukraine, which are planned to be given to it as a state not possessing nuclear weapons.<sup>642</sup>

On December 5, the prime minister of the UK and the presidents of the US, Russia and Ukraine arrived in Budapest to sign a diplomatic Memorandum on Security Assurances in Connection with Ukraine's Accession to the NPT. Yet the Russian side refused to sign the memorandum if the contentious language of nuclear ownership in the ratification instrument was not rectified. The US and the UK were not concerned about Ukraine's language of ownership as long as Ukraine acceded to the NPT as a NNWS, of which there was no doubt.<sup>643</sup>

Clearly, the Russian objections were not prompted by the fears of any real possibility that Ukraine would claim a nuclear status under the NPT, or stake claims to its nuclear inheritance

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<sup>639</sup> Verkhovna Rada of Ukraine, *Zakon Ukrainy pro Pryiednannia Ukrainy Do Dobovoru pro Nerozpoznyudzhenia Iadernoi Zbroii Vid 1 Lypnia 1968 Roku* [Law of Ukraine on Accession to the Treaty on Nonproliferation of Nuclear Weapons of July 1, 1968], 248/94-VR, November 16, 1994, <http://zakon2.rada.gov.ua/laws/show/248/94-VR>.

<sup>640</sup> Ibid.

<sup>641</sup> The contents of the statement were quoted in Dubinin, "Ukraine's Nuclear Ambitions: Reminiscences of the Past."

<sup>642</sup> Quoted in *ibid.*

<sup>643</sup> Pifer, interview.

following its adherence as a NNWS, but rather by the symbolic importance of denying any legitimization to Ukraine's claim of nuclear ownership before the NPT accession. Intense all-night negotiations on December 4-5, yielded a compromise whereby the MFA produced a note stating that Ukraine was acceding to the NPT as a state that did not possess nuclear weapons.<sup>644</sup> The signing went ahead, and the parties exchanged not only the NPT ratification instruments but also ratification instruments of START.

The formulation of assurances contained in the Budapest Memorandum, as the document became known, remained essentially unchanged from those drafted by the State Department in December 1992. It was augmented only with the truncated version of the consultation mechanism Ukrainians once proposed: the parties agreed to "consult in the event a situation arises which raises a question concerning these commitments."<sup>645</sup> France and China extended security assurances in separate statements reiterating their formulations of negative and positive nuclear security guarantees to all NNWS of the NPT.<sup>646</sup> That these assurances did not meet Ukraine's security demands was quite obvious: "If tomorrow Russia goes into the Crimea no one will even raise an eyebrow," conceded now ex-president Kravchuk after the Memorandum was signed.<sup>647</sup>

The consultation mechanism provided in the Budapest memorandum was invoked for the first time twenty years after its signature, in March 2014, following the reports of a mass influx of unmarked Russian troops into Crimea. Russian Foreign Minister Sergey Lavrov declined to

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<sup>644</sup> Ibid.; Dubinin, "Ukraine's Nuclear Ambitions: Reminiscences of the Past."

<sup>645</sup> "Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Nonproliferation of Nuclear Weapons," December 5, 1994, [http://zakon4.rada.gov.ua/laws/show/998\\_158](http://zakon4.rada.gov.ua/laws/show/998_158); English text of the memorandum is available in Pifer, *The Trilateral Process: The United States, Ukraine, Russia and Nuclear Weapons* France and China pledged similar assurances in a bilateral format.

<sup>646</sup> "Letter Dated 12 December 1994 from the Permanent Representative of China to the United Nations Addressed to the Secretary-General. Annex: Statement of the Chinese Government on the Security Assurances to Ukraine Issued on 4 December 1994," December 14, 1994, A/49/783, United Nations Office for Disarmament Affairs Library, [https://disarmament-library.un.org/UNODA/Library.nsf/939721e5b418c27085257631004e4fbf/4bd51a4bdd15e65285257687005bbc1f/\\$FILE/A-49-783\\_China-effective%20intl%20arrangements.pdf](https://disarmament-library.un.org/UNODA/Library.nsf/939721e5b418c27085257631004e4fbf/4bd51a4bdd15e65285257687005bbc1f/$FILE/A-49-783_China-effective%20intl%20arrangements.pdf).

<sup>647</sup> "Kiev Scorns NPT Exchange Deal," *Moscow Times*, December 8, 1994, <http://www.themoscowtimes.com/news/article/kyiv-scorns-npt-exchange-deal/345274.html>.

participate in the Paris meeting. In a statement released following the meeting, Ukraine, the US and the UK called on Russia to take seriously the assurances given “in return for Ukraine giving up its nuclear weapons.”<sup>648</sup> Thus, over the years, the recognition that the nuclear arsenal was Ukraine’s to give up had become commonplace. In the early 1990s, however, the issue of the status of nuclear arms on Ukraine’s territory was no matter of casual semantics but a crucial part of negotiating the post-Soviet political settlement.

### **Conclusion: Ukraine and the NPT**

The meaning of nuclear armaments stationed in Ukraine, before and after the attainment of its independence, was inextricably connected to the process of renegotiating its relations with Moscow. Its initial nuclear renunciation stemmed from a confluence of anti-nuclear sentiment spurred by the Chernobyl accident and efforts to extricate Ukraine from under the Soviet political and military domination. This stance changed radically, after the dramatic and unexpected events of August 1991. Informed by ethno-nationalistic identity narrative and apprehensive of Russia’s reemergence as the domineering power in the post-Soviet state, Ukrainian leaders stressed their country’s equality in succession rights to the USSR on par with Russia, which they thought should obtain in all realms, including nuclear. Contentions over the status and subordination of nuclear forces stationed in Ukraine were trapped between the conflicting demands of securing Ukraine’s statehood: the need to obtain Western recognition and support on the one hand, and secure independence from Russia, including establishing a national army, on the other. In an attempt to accommodate both demands, Ukraine attempted to introduce a new category to the nuclear world: nuclear ownership.

Within Ukraine’s nuclear discourse, the claim to nuclear ownership was translated in three stances: entitlement to compensation, political hedging and deterrence, with the latter the most

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<sup>648</sup> Office of the Spokesperson, U.S. Department of State, “US/UK/Ukraine Press Statement on the Budapest Memorandum Meeting,” March 5, 2014, <http://www.state.gov/r/pa/prs/ps/2014/03/222949.htm>.

marginal politically. The failure of the Ukrainian political elites to present a single coherent front on the question of nuclear ownership in their dialogue with the US and Russia no doubt served to muddle Ukraine's message and undermine its credibility as an interlocutor on the nuclear question. The audacious statements by officials like Pavlychko, Kuchma and Tolubko complicated the task of the MFA to negotiate in good faith with its Russian and Western interlocutors. Yet even executive's moderate position on nuclear ownership as substantiation for compensation and security guarantees came into conflict with the nonproliferation norm and the NPT.

In this tension, between Ukraine's nuclear claims and the nonproliferation norm did not sway Ukraine's domestic decision-making by being preached, through *normative reasoning*, by those actors who undertook to promote them: the US, its allies and Russia. This was not because the norm's ethical merits were unpersuasive *per se* or that political actors in Ukraine disagreed about the 'goodness' of the nuclear-free world through curbed nuclear proliferation. Indeed, the ethical merits of the nonproliferation norm seemed to have been taken for granted by almost all actors involved in the discourse: except for Tolubko and a few radical nationalists, most Ukrainian decision-makers agreed that Ukraine would eventually denuclearize and did not view nuclear armaments as a long-term deterrent. Rather, Ukraine's urgency to adopt the norm dissipated in the face of considerations of its statehood, sovereignty, and the type of post-Soviet settlement that would best provide for its security. Ukraine's proclivity to embracing the nonproliferation norm based on the *normative match* with its Chernobyl-inspired anti-nuclear sentiment dissipated for the same reasons and did not prove a significant factor in Ukraine's denuclearization.

Yet in the Ukrainian case, the NPT's significance was not primarily in its regulative function, as in its constitutive role of shaping and structuring Ukraine's nuclear discourse. Ukraine's claim to Soviet succession was not controversial in and of itself; indeed, Ukraine was a recognized Soviet



successor in all other respects, including in relation to conventional arms and, eventually, in relation to START. However, the very existence of the NPT as a prominent and near-universal international institution which guarded a separate *normative space* for nuclear possession meant that the nuclear part of Ukraine's inheritance fell under a different set of rules than conventional armaments. Thus Ukraine became not only *a case of* legal succession, but, inevitably, *a case of* nuclear proliferation as well as. The proscription on nuclear proliferation in the NPT allocated the *burden of proof* and justification squarely on Ukraine for deviating from the course of disarmament and compliance with the NPT. Ukraine made an attempt to reconcile its succession claim with the proscriptions of the NPT by claiming nuclear 'ownership' [*vlasnist*], not 'possession' [*volodinnia*]. Yet NPT's *normative grammar* provided only two stark binary categories: nuclear weapons states and non-nuclear weapons states. Nuclear ownership as distinct from possession, even substantiated by a succession norm, was not a category provided by the NPT's normative language. Thus, Ukraine's nuclear ownership had no place within the regime and could only be sustained outside of it. Given the unwavering position of the US, its allies and Russia on the matter, and the lack of any support for Ukraine's claim from elsewhere, Ukraine was ultimately incapable of normalizing its new category of nuclear ownership as a legitimate exception and thus came to be viewed as an aberration to the NPT, outside of the bounds of good 'civilized' international citizenship.

The NPT also defined the US and Russia as actors who could speak on behalf of the regime. That the direct and indirect inducements, as well as the diplomatic pressure they ended up exerting on Ukraine transpired from within the fold of the NPT helped *legitimize* it as *norm enforcement*, not arbitrary application of coercion. Legitimation of coercion in norm enforcement not only seals a certain moral status of the enforcer, but ensures the support of the international community that shares commitment to the norm thus enforced. Coercion, however, even in the name of norm enforcement, is a slippery slope. As the Ukrainian case shows, if coercive

enforcement is applied without due appreciation of norm adopter's otherwise legitimate concerns and interests, it could harden the adopter's position and hinder rather than aid norm adoption.

## Chapter Four. Belarus: Small State, Big Burden

“However striking this may be, but in the moment that proved historical for the entire world, nothing historical happened in Belarus.”

Pyotr Kravchanka, Minister of Foreign Affairs of Belarus.<sup>649</sup>

### Introduction

In July 1990 both Belarus and Ukraine declared their intention to become nonnuclear states and have jointly made an unsuccessful attempt to join the NPT as NNWSs. As Soviet republics, both were gravely affected by the 1986 accident on the Chernobyl nuclear power station, which gave rise to a strong popular anti-nuclear sentiment. The collapsed Soviet Union left Belarus with a large military endowment, including 54 single-warhead land-mobile ICBMs and over 1,000 tactical nuclear weapons. The fate of these weapons in Belarus, as in Ukraine, became intertwined with negotiating the meaning of its newly found sovereignty and the emergence of national security narrative(s).

Yet in early 1992, the path of the two states toward NPT accession drastically parted ways. While Ukraine rushed to establish its own army and began to lay claim to ownership of its nuclear inheritance, Belarus continued along a consistent path toward the NPT accession. Not only did Belarus become the first of the non-Russian republics to join the treaty, it also persisted with the idea of establishing a Central European and even pan-European nuclear-free zone. These diverging denuclearization and NPT accession paths of Ukraine and Belarus are interesting and surprising not only because they developed despite the similarities in their pre-independence stances on nuclear issues, but also given the similarity of their historical paths toward statehood more generally.

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<sup>649</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika* [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician], 200.

Ukraine and Belarus both trace their historical development through a succession of shared political entities: the Kievan Rus, the Grand Duchy of Lithuania, Lithuanian-Polish Principality, the Polish Commonwealth, the Russian Empire and finally the Soviet Union. Like Ukraine, Belarus suffered repressive language and cultural policies under the Russian Tzarist regime and formed a short-lived independent republic in the wake of WWI. During the interwar period, the territories of present-day Belarus and Ukraine were split between Poland and Bolshevik Russia. Whereas interwar Poland denied both Ukrainian and Belarusian demands for local autonomy and pursued repressive national minority policies, the Bolsheviks organized Ukrainian and Belarusian ethnic territories into separate republics, which in 1922, together with Russia and the Transcaucasian Federation, formally signed a treaty forming the USSR. In the 1920s, Soviet Ukraine and Belarus enjoyed a brief period of limited economic freedom under Lenin's New Economic Policy (NEP) and a remarkable cultural revival, which some historians recognize as the 'Golden Age' of Belarusian culture.<sup>650</sup>

In 1939, the territories of both Ukrainian and Belarusian Soviet republics were augmented by the Soviet annexation of the Eastern Poland pursuant to the Molotov-Ribbentrop pact between Germany and the USSR. Like Ukraine, Belarus found itself at the very heart of bloodlands, tragically caught between two totalitarian regimes. During the 1930s and 1940s, of all nations that became victims of Hitler and Stalin, Ukraine suffered the greatest loss of human life in absolute numbers, estimated at close to 10 million people.<sup>651</sup> Belarus, however, suffered much greater losses in relative terms, with the toll of about 4 million lives, amounting to close to 40% of its population.<sup>652</sup> Before and after WWII, ethnic Russians settled into these depleted territories, particularly into urban centers of Belarus.

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<sup>650</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 12.

<sup>651</sup> Snyder, *Bloodlands: Europe between Hitler and Stalin*, 403–4.

<sup>652</sup> George Sanford, "Nation, State and Independence in Belarus," *Contemporary Politics* 3, no. 3 (1997): 234.

The grave experiences of the 20<sup>th</sup> century seem to have had a more drastic effect on the linguistic and cultural legacy of Belarus than of Ukraine. David Marples argues that despite the similar destinies of Ukraine and Belarus, western Ukrainian areas formerly under Habsburg and then under Polish rule had a more robust tradition of cultural and political organization than their western Belarusian counterparts and contained a much larger proportion of the indigenous group.<sup>653</sup> Another possibly significant development was Stalin's decision in 1939 to transfer the city of Vilna (Vilnius), which had been the cultural repository of the Belarusians, to Lithuania, robbing them of an urban center, like Lviv in Ukraine's Galicia, where their cultural heritage and an alternative identity narrative could be kept alive.<sup>654</sup> Furthermore, while the Soviet authorities viewed both territories annexed in 1939 as hotbeds of 'bourgeois nationalism,' and conducted thorough and brutal purges, their repressive policies may have differed in intensity: certain cultural and linguistic concessions might have been given to western Ukrainians to discourage or mitigate their participation in the armed insurgency that continued in western Ukraine until mid-1950s.<sup>655</sup>

Moreover, the experience of WWII left an enduring imprint on the Belarusian collective consciousness. Belarus became the first point of entry of the Germany troops in the summer of 1941, it was quickly overrun and severely brutalized during the three years of Nazi occupation. In response, the Belarusians organized in a massive partisan movement, although there was also a collaborationist government of Radaslau Astrouski.<sup>656</sup> The WWII experience made the historical causes and narratives of the Belarusians and the USSR all but synonymous, while Belarusian nationalism became tainted by and inseparable from Nazi collaborationism.<sup>657</sup> After

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<sup>653</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 15–16.

<sup>654</sup> Ibid., 17–18.

<sup>655</sup> Roman Szporluk has also argued that Stalin adopted a more lenient linguistic policy toward western Ukraine in order to mitigate the possible Polish influence. Roman Szporluk, "West Ukraine and West Belorussia. Historical Tradition, Social Communication and Linguistic Assimilation," *Soviet Studies* 31, no. 1 (January 1979): 76–98.

<sup>656</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 18.

<sup>657</sup> Ibid., 19.

WWII, Belarus, like Ukraine, received a seat in the UN, among other reason, as recognition of its role in the Soviet struggle with the Nazis.<sup>658</sup>

Over the course of the 20<sup>th</sup> century, both the populations of Ukraine and Belarus underwent a significant shift of ethnic and linguistic balance in favor of Russian. In Belarus, however, the titular language and culture all but disappeared. For instance, while the 1926 census revealed that some 80% of population were Belarusian speaking, by 1980s merely 20% of rural schools taught in Belarusian, while for urban schools that number approximated zero.<sup>659</sup> Although according to the 1989 census 78% of the population self-identified as Belarusians, George Sanford argues that this could hardly have been meant in terms of a distinct ethnic identity.<sup>660</sup> While the direct link between linguistic distinctiveness and ethno-national consciousness is not a foregone conclusion, in Belarus, the demise of Belarusian language went hand-in-glove with the weakness of a narrative of Belarusian identity meaningfully distinctive from Russian or Soviet. At the same time, Russians living in Belarus found it easy to identify with Belarus and did not feel a particular attachment to their Russian homeland. Thus ethno-national identifications were muted on both sides of the potential Belarusian-Russian rift, with Belarus on the whole likely to treat Russia as a kindred neighbor rather than either a potential adversary or a potential motherland.<sup>661</sup>

Finally, as opposed to Russia, Ukraine, Transcaucasia and the Baltic republics, Belarus failed to develop a robust dissident movement during the Khrushchev and Brezhnev years. Although always persecuted by the authorities, the political dissidents across the USSR formulated a critique of the Soviet regime on ethnic or civic grounds or both, and kept alive an alternative vision of socio-political development. The weakness of a distinctive Belarusian national identity became particularly significant in the late 1980s when the resistance to the Communist center

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<sup>658</sup> Ibid., 20.

<sup>659</sup> Sanford, "Nation, State and Independence in Belarus," 234.

<sup>660</sup> Ibid., 235.

<sup>661</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 36.

was taking the shape of ethno-nationalistic movements in many non-Russian republics.<sup>662</sup> After the first multiparty elections in 1990, the national-democratic movements comprised of former dissidents would form a vocal political opposition in some republican legislatures, as in Ukraine and Georgia, or win majority in others, as in the Baltic republics. Yet in Belarus, the supply of such political force and with it an alternative political vision for the future of Belarus was particularly scarce.

Thus despite strikingly similar historical paths traveled through much of the 20<sup>th</sup> century, Belarus and Ukraine harbored significant socio-political differences, differences of degree that seemed to have translated into differences in kind. During the period that would greatly change the shape of international politics, make the two Soviet republics into sovereign states, and leave on their territory staggering amounts of nuclear weapons, these differences would have bearing on the way they reckoned the meaning of these changes and the fate of these weapons.

### **Chernobyl and the Belarusian Opposition**

No other country suffered more than Belarus from the accident on the Chernobyl nuclear power plant in Ukraine, situated only some 10 kilometers from the Belarusian border. With the weather conditions and wind direction, most of the radioactive cloud blew northwest into Belarus, covering about 70% of its territory, contaminating about 20% of its territory and adversely affecting some 20% of its population.<sup>663</sup> Yet despite the severity of the disaster, the response of the republican authorities was to shroud the accident and its aftermath in secrecy and inertly await Moscow's instructions. The full scale of the accident did not become known to the wider public in Belarus, outside of the immediately affected areas, until early 1989.<sup>664</sup> The human and economic cost of Chernobyl to this small republic was incalculable. In early 1990s, around 15%

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<sup>662</sup> In fact, despite Belarusian and Ukrainian opposition movements designating themselves as 'democratic,' or 'national-democratic,' only in Russia did a liberal democratic opposition worth its name in the late emerge in 1980s-early 1990s.

<sup>663</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 42; Tatiana Tiurina, "Neutrality, Maybe," *The Bulletin of Atomic Scientists* 50, no. 1 (February 1994): 37–8.

<sup>664</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 38, 125.

of Belarus's state budget went toward dealing with human and ecological consequences the disaster.<sup>665</sup> Like in Ukraine, the negligence, passivity and cover ups of the accident by the local elites served to gravely undermine their authority and added to the general dissatisfaction with the dysfunction of the Soviet system.

Like in Ukraine, the policy of *perestroika* and *glasnost* allowed the national-democratic opposition to take shape in late 1980s, modeling themselves on the counterpart movements in the Baltic republics, and the Chernobyl disaster became an important catalyst in this process. Yet while in Ukraine, the core of the political opposition came from the ranks of seasoned dissidents both literati and civil rights advocates from the 1970s and 1980s, many of them former political prisoners, in Belarus the national opposition was composed almost entirely of the cultural intelligentsia which, despite clandestine opposition to the regime, had little experience in openly defying it.

In June 1988, Zyanon Paznyak an archeologist, art historian and a member of the Belarusian Academy of Sciences, uncovered mass graves in the Kurapaty forest right outside of Minsk containing the remains of some 300,000 Belarusians murdered between 1937-41, a massacre attributed by the Soviet historiography to the Nazi occupants. Together with a colleague Yaugen Shmyhaleu, Paznyak published a paper in *Litaratura I Mastatstva* on Kurapaty, presenting evidence that the massacre was the responsibility of the Soviet NKVD, not the Germans.<sup>666</sup> Even though the Belarusian government commission founded to investigate Kurapaty mass graves returned an inconclusive report and eventually swept the whole thing under the carpet, Paznyak's findings helped mobilize many Minsk residents. In 1988, at one of the mass rallies

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<sup>665</sup> The number was given by the Speaker of Belarusian parliament Stanislau Shushkevich during the meeting with US president Bill Clinton in January 1994. "Stenogramma Vstrechi Predsedatelia Verkhovnoho Soveta Respubliki Belarus S. Shushkevicha S Prezidentom SShA W. Clintonom [Transcript of the Meeting of the Speaker of the Verkhovniy Sovet of the Republic of Belarus S. Shushkevich and the President of the US W. Clinton]," January 15, 1994, Fond 968, Opis 11, Delo 20, List 1-8, National Archive of the Republic of Belarus.

<sup>666</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 14; Paznyak's own grandfather, the editor of a Belarusian Christian Democratic newspaper in Vilnius in the interwar period was among those executed at Kurapaty. Jan Zaprudnik, *Belarus: At the Crossroads of History* (Boulder, CO: Westview Press, Inc., 1993), 168.



commemorating Kurapaty, a small group of nationally conscious intellectuals formed an opposition force, the Belarusian People's Front (BPF) with the Paznyak as their leader.<sup>667</sup>

While Kurapaty was a grim symbol of the past crimes of the Soviet regime, Chernobyl and its aftermath became the symbol of the regime's continued inaptness. A number of BPF members, Gennadiy Grushevoy chief among them, were active Chernobyl activists and NGO leaders.<sup>668</sup> According to Grushevoy, Chernobyl and its aftermath became instrumental to political change in Belarus, forcing the public to reassess the ability of the Communist regime to respond to the urgent needs of the citizen, even at the time of crisis.<sup>669</sup>

Not only the BPF members, but also the moderately inclined apparatchiks sympathetic to perestroika realized the extent of the failure of authorities in dealing with the disaster. Belarus's foreign minister Pyotr Kravchanka, speaking to the 45<sup>th</sup> session of the UN General Assembly in October of 1990, admitted:

I want to be completely frank with the Assembly: the bitter truth is that it is only now, four and a half years later, that we are finally and with tremendous difficulty making the breach in the wall of indifference, silence and lack of sympathy, and for this we ourselves are largely to blame.<sup>670</sup>

For the Belarusian national-democratic opposition in 1988-1990, the Kurapaty and Chernobyl became the symbols of cultural and linguistic devastation of the republic, and the cultural and linguistic revival became the focus of their political stance.<sup>671</sup> Yet whereas Ukraine's national democrats mobilized the symbol of Chernobyl to rally diverse parts of the country against central Communist authorities in Moscow, in Belarus, much of the indignation was directed at

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<sup>667</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 14–15.

<sup>668</sup> Grushevoy set up a charitable organization "For the Children of Chernobyl" that despite the strained relations with the state authorities managed to attract some 5000 volunteers and establish contacts and partnerships with more than 20 countries, sending groups of Belarusian children affected by the radiation to receive treatment abroad. Ibid., 69–70.

<sup>669</sup> As recounted in *ibid.*, 70.

<sup>670</sup> "Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Byelorussian SSR, Provisional Verbatim Record of the 32nd Meeting, 45th Session of the UN General Assembly, A/45/PV.32," October 23, 1990, <http://daccess-dds-ny.un.org/doc/UNDOC/PRO/N90/642/62/PDF/N9064262.pdf?OpenElement>.

<sup>671</sup> Zaprudnik, *Belarus: At the Crossroads of History*, 136.

the complicity of the republican Communist authorities in the cover up and their continued reliance on Moscow to deal with the aftermath of the disaster.<sup>672</sup>

The emergence of both the BPF in Belarus and Rukh in Ukraine was made possible by Gorbachev's political liberalization and concomitant popular dissatisfaction with the Communist regime. However, the BPF has not managed to become the comparable political force in Belarusian politics, as Rukh had in Ukraine. The BPF's ethno-nationalistic narrative and focus on Belarusian cultural revival found less resonance with the broader public. In the March 1990 elections, the BPF was not permitted to register as a party and managed to get only 25, or less than 10%, of the total 360 seats in the parliament, compared to roughly a quarter gained by Rukh in Ukraine.<sup>673</sup>

Although not any more nationalistic than Ukraine's Rukh, the BPF were not only less numerous, but also failed to find any common ground with their communist colleagues in the republican parliament. Furthermore, Belarusian Communists who formed an overwhelming parliamentary majority were probably more conservative than elsewhere in the USSR. Even after the collapse of the Communist party and its ban following the August 1991 coup, this "Bolshevik majority" in the Belarusian parliament, as one Russian observer had called them, continued to maintain strict party discipline and stand by many communist ideological mantras.<sup>674</sup> While Rukh made a concerted effort and succeeded in co-opting part of the communist establishment into their narrative of Ukraine's national identity, the BPF failed to forge any political alliances even with those moderately inclined politicians, such as Stanislau Shushkevich, who would become the speaker of the parliament in September 1991.<sup>675</sup>

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<sup>672</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 45, 128.

<sup>673</sup> Ibid., 122; Sanford, "Nation, State and Independence in Belarus," 237. Some 15 seats remained unfilled even after a number of run-off elections, due to low voter turnout. Zaprudnik, *Belarus: At the Crossroads of History*, 149.

<sup>674</sup> Nikolay Matukovskiy, "Bolshevik Majority in Belorussian Parliament Hampers the Resolution of Many Problems Important for the Republic," *Izvestiya in FBIS-USR-92-033*, March 7, 1992.

<sup>675</sup> It is beyond the scope of this dissertation to investigate in full the reasons behind this failure. However, at least part of the reason was the greater salience of established Soviet narrative of Belarusian history and aversion to

As opposed to their Ukrainian counterparts, the Belarusian national-democratic opposition remained marginal and strictly ‘oppositional.’ For their part, the incumbent communist authorities routinely targeted BPF and its leaders in the official press, accusing them of being radical, even fascist, an anathema in Belarus.<sup>676</sup> Yet, as it turned out, Belarusian SSR did not need an influential national-democratic force to push through its own declaration of sovereignty and eventually become an independent state. Rather, it simply followed in the footsteps of Russia and Ukraine.

### **Declaration of Sovereignty and Nuclear Renunciation**

On July 27, 1990, the parliament of the Belarusian Soviet Socialist Republic (BSSR), the Vyarkhouny Savet, passed the Declaration of Sovereignty of the BSSR, only 11 days after Ukraine did the same. Both declarations were precipitated by the declaration of sovereignty of the Russian Federation, passed on June 12, 1990. After the Russian declaration, Belarusian parliament formed a commission to draft the Belarusian equivalent but set no particular timelines.<sup>677</sup> However, once Ukraine’s declaration followed, the commission felt a sense of urgency and on July 24 presented the draft to the Vyarkhouny Savet.<sup>678</sup> The BPF proposed an alternative draft of the declaration, which included highly controversial proposals to denounce the 1922 Union treaty, abstain from any other Union treaty, recognize legal continuity with the Belarusian state of 1918-19, and withdraw from the republic all units of the Soviet army, yet the

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ethno-nationalism as necessarily associated with Nazi collaborationism. Ukrainian national-democrats were also drawing on a deeper-rooted tradition of dissident movement that endured the entire postwar Soviet period. Finally, personality traits may have come into play: the BPF leader Zyanon Paznyak was an uncompromising idealist and maximalist who regarded Shushkevich, for instance, as weak and unable to bring about democratic transformations. See Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 116, 122; Zaprudnik, *Belarus: At the Crossroads of History*, 168–9.

<sup>676</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 121.

<sup>677</sup> Aleksandr Kurianovich, “Priniatii Deklaratsii O Gosudarsvennom Suverenitete: Fakti, Tsifri, Tsitati [The Adoption of the Declaration of State Sovereignty: Facts, Figures, Citations],” *Naviny.by*, July 27, 2009, [http://naviny.by/rubrics/politic/2009/07/27/ic\\_articles\\_112\\_163750/](http://naviny.by/rubrics/politic/2009/07/27/ic_articles_112_163750/). Kurianovich is a Belarusian historian, professor of the National University in Minsk, his account here is based on archival materials, including the transcripts of the Vyarkhouny Savet sessions.

<sup>678</sup> Ibid.

draft was quickly rejected.<sup>679</sup> At the same time, even the more conservative version drafted by the special commission encountered much heated debate.<sup>680</sup>

The final text of the document, passed by the overwhelming majority of 229 out of 232 MPs, was very close in wording to the Ukrainian declaration of sovereignty. The Belarusian declaration tried to balance the assertion of republics state sovereignty in military, economic and legal sphere without outright rejecting the possibility of a new Union treaty championed by Gorbachev at the time. Ukrainian declaration's reference to the new Union treaty was somewhat more muted, while the Belarusian declaration, Article 11, pledged a commitment to immediately negotiate the new "Treaty on the Union of sovereign socialist states," even though it emphasized that such a union would be based on the right of the states to voluntary join and withdraw from it.<sup>681</sup> Nikolai Dementei, the Speaker of the Savet, defended this clause against opposition by saying: "Neither Russia, nor Ukraine excluded from their declarations the necessity to conclude a new treaty, even though we know the size, material and intellectual potential of these republics."<sup>682</sup>

Like Ukraine, Belarus proclaimed its right to construct independent armed forces in Article 10 of the declaration, and like in Ukraine the heated deliberations revealed just how controversial the subject of an independent army was. Importantly, the same article contained a clause stating that BSSR "aims to make its territory a nuclear-free zone and the republic – a neutral state."<sup>683</sup> The wording of the Belarusian declaration on the nuclear issue was significant: while Ukraine declared its intention to attain a nonnuclear status – for itself, – Belarus envisioned its territory as a "nuclear-free zone," presumably including others.

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<sup>679</sup> Ibid.

<sup>680</sup> Ibid.

<sup>681</sup> Vyarkhouny Savet of the Belarusian Soviet Socialist Republic, *Deklaratsiia O Gosudarstvennom Suverenitete Respubliki Belarus* [Declaration of State Sovereignty of the Republic of Belarus] No. 193-XII, July 27, 1990, [http://www.pravo.by/world\\_of\\_law/text.asp?RN=V09000193](http://www.pravo.by/world_of_law/text.asp?RN=V09000193).

<sup>682</sup> Quoted in Kurianovich, "Priniatie Deklaratsii O Gosudarstvennom Suverenitete: Fakti, Tsifri, Tsitati [The Adoption of the Declaration of State Sovereignty: Facts, Figures, Citations]."

<sup>683</sup> Vyarkhouny Savet of the Belarusian Soviet Socialist Republic, *Deklaratsiia O Gosudarstvennom Suverenitete Respubliki Belarus* [Declaration of State Sovereignty of the Republic of Belarus] No. 193-XII.

This formulation became the first rendition of Belarus's attempt to push the nuclear renunciation beyond its own territory and advocate the creation of a nuclear-free zone in its neighborhood. Following the proclamation of sovereignty, Belarusian diplomats and their Ukrainian counterparts used their republic's commitment to become nonnuclear states in a bid to join the NPT as NNWS in the run-up to the NPT Review Conference in Geneva in August 1990.<sup>684</sup> Although the bid was rejected by Moscow, both the Ukrainian and the Belarusian SSRs participated in the 1990 NPT Review Conference for the first time, as observers.

Despite the failed attempt to join the NPT, Belarusian foreign minister Pyotr Kravchanka in a statement delivered to the 45<sup>th</sup> session of the UN General Assembly on October 23, 1990, reaffirmed Belarus's desire to become a "nuclear-free zone" and join the NPT, although he did recognize that such a step had strategic consequences:

We are keenly aware that the achievement of a nuclear-free status for the Byelorussian SSR would affect the strategic interests of many parties and that this initiative therefore calls for a responsible and carefully considered approach. The Byelorussian SSR intends to adopt such an approach and is guided by the principle that steps to achieve this goal must not be detrimental to any country's legitimate security interests or, indeed, to the stability of the continent in general.<sup>685</sup>

Nevertheless, Kravchanka went beyond expressing Belarus's own desire to rid its territory of nuclear weapons and fielded an initiative to create a "nuclear-free belt" that would, in addition to Belarus, include Ukraine and the Baltic states, and which other countries of central Europe could join if they so wished.<sup>686</sup> Kravchanka clearly understood that nuclear-weapons-free zones go well beyond humanitarian considerations and have a strategic dimension for the two nuclear-armed alliances, NATO and the Soviet bloc. Yet despite these formidable constraints, Belarus continued to propound the idea of a nuclear-free zone in the heart of Europe.

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<sup>684</sup> William Potter cites two preceding Belarusian attempts to join the NPT, one in early 1980s and another in 1988, both dismissed by Moscow. Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 13.

<sup>685</sup> "Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Byelorussian SSR, Provisional Verbatim Record of the 32nd Meeting, 45th Session of the UN General Assembly, A/45/PV.32."

<sup>686</sup> Ibid.

At the time, the experience of Chernobyl was certainly the most salient reason for such anti-nuclear normative entrepreneurship. Indeed, in 1990-1991 most of Belarus's activity in the international fora, such as the UN, amounted to repeated pleas for international assistance with tackling the consequences of the Chernobyl disaster. In addition, raising Chernobyl-related humanitarian aid was one of the few foreign policy issue areas, which the Belarusian and Ukrainian foreign ministries were sanctioned by the central authorities in Moscow to pursue independently.

Finally, Kravchanka was personally deeply committed to the issue of Chernobyl and its humanitarian consequences in Belarus. He was appointed to head the foreign ministry in July 1990, having previously served as the secretary of the Communist party organization of Minsk. A historian by training and only 40 at the time of his appointment, Kravchanka was sympathetic to the cause of Belarusian cultural revival and yearnings of political independence. After his appointment, he made it a personal and professional goal to raise the profile of the issue of Chernobyl on the international arena and attract more financial and technical aid from the international community to deal with its consequences.<sup>687</sup>

It is telling that Kravchanka's remarks at the 45<sup>th</sup> session of the UNGA were delivered during the discussions of the IAEA's 1989 report and, beyond the proposal for the nuclear-free zone, focused heavily on the issues of nuclear safety and security in the civilian nuclear realm, including an emotional account of the toll Chernobyl continued to exert on Belarus.<sup>688</sup> While in pre-independence Ukraine, the non-nuclear clause in the Declaration of Sovereignty and the subsequent attempt to join the NPT were motivated, in addition to the experience of Chernobyl, also by the attempts at state-building by distancing itself from Moscow and participating in international treaties, for Belarus it seemed to be overwhelmingly the former.

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<sup>687</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika* [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician], 43, 51.

<sup>688</sup> "Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Byelorussian SSR, Provisional Verbatim Record of the 32nd Meeting, 45th Session of the UN General Assembly, A/45/PV.32."

And so, outwardly Belarusian and Ukrainian transition to independent statehood, and the nuclear questions set within it, seemed strikingly similar prior to August 1991. Both countries suffered tremendously from the twin malice of Stalinism and Nazism during the turbulent 20<sup>th</sup> century. In the late Soviet period they both felt the strains of Soviet economic and social decline. In late 1980s their citizens shared a strong anti-nuclear sentiment brought about by the Chernobyl disaster and translated into the distrust and disgruntlement with the duplicity and corruption of the power establishment. Chernobyl experience had precipitated the wholesale rejection of things nuclear, including the declarations of their intention to renounce nuclear weapons.

Yet the political contexts in which these developments took place nevertheless differed in Belarus and Ukraine. The national rebirth and the rediscovery of Belarus's hereto forbidden history happened on a much more modest scale than in Ukraine and did not lead to a wholesale redefinition of Belarus's Soviet past. As Marples wrote, in Belarus, "the image of the Soviet state [was] less tarnished than in other republics."<sup>689</sup> Thus, the desire to distance itself from Moscow that underpinned Ukraine pre-independence commitment to denuclearize was wholly foreign to the overwhelming majority of Belarusians. An alternative narrative of Belarusian identity that viewed Russia as a historical oppressor, remained marginal and politically inconsequential in Belarus. Thus, the identity narratives attributing meaning to the great transitions of the late 20<sup>th</sup> century in the Soviet space differed enough in the two republics to later translate into a radical split between Ukraine's and Belarus's stance on nuclear weapons and sent them on divergent paths toward disarmament and the NPT.

### **Independence: Caution and Gradual Transition**

In the wake of the August 1991 coup in Moscow, the Soviet Union quickly unraveled. Most of the official Minsk observed the momentous events of August 1991 with quiet apprehension. On

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<sup>689</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 14.

August 19, the 22 BPF MPs issued a statement condemning the coup in Moscow, demanding that an emergency session of the Savet be held and putting on the agenda the question of Belarusian independence.<sup>690</sup> Unprecedentedly large-scale demonstrations erupted in Minsk to put pressure on the communist-dominated Savet to declare independence.<sup>691</sup>

By that point, even the high-ranking members of the Belarusian communist establishment realized that the Union could not endure as it was. When on August 19, 1991, the *putschists* in Moscow declared the state of emergency and dispatched orders to this effect to the republican governments, the top Belarusian leadership, most of them on vacation in mid-August, passively sabotaged these orders by consciously continuing on their holidays and staying away from their offices until the storm blew over.<sup>692</sup> On August 25, after the coup was defeated and Ukraine had proclaimed independence, the Belarusian Savet voted to give the July 1990 Declaration of Sovereignty the status of constitutional law, and on September 19, further amended it to rename Belarusian Soviet Socialist Republic into the Republic of Belarus.<sup>693</sup>

Yet, as with the Declaration, Belarusian independence did not come from the innate desire of its leaders for statehood. While leaders such as the head of the Cabinet of Ministers Vyacheslau Kebich and Savet Speaker Shushkevich favored greater autonomy for the republic, they never advocated full independence.<sup>694</sup> Rather, they, as most of the Belarusian MPs, in legislating independence were driven by the example of their Slavic neighbors and the perception of the inevitability of the historical processes in which they were caught up.

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<sup>690</sup> Ibid., 125.

<sup>691</sup> Sanford, "Nation, State and Independence in Belarus," 237–8.

<sup>692</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 133.

<sup>693</sup> Viarkhouny Savet of the Republic of Belarus, "Zakon O Pridanii Statusa Konstitutsionnogo Zakona Deklaratsii Verkhovnogo Soveta Respubliki Belarus O Gosudarstvennom Suverenitete Respubliki Belarus [Law on the Conferring the Status of Constitutional Law on the Declaration of the Verkhovnyi Sovet on State Sovereignty of the Republic of Belarus] No.1017-XII," August 25, 1991, <http://pravo.levonevsky.org/bazaby/zakon/zakb1454.htm>.

<sup>694</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 145.



In terms of the nuclear stance, the ascent of Shushkevich to the post of the Speaker, following the resignation of Dementei who supported the coup, proved to be conducive for maintaining the pre-independence course on the issue. Shushkevich was a prominent academic, a nuclear physicist and a one time pro-rector of the Belarusian State University in Minsk. A son of a teacher of Slavonic languages, Shushkevich spoke fluent Polish and Russian as well as Belarusian in which he moderated all Savet sessions. Some of Shushkevich views, in particular his commitment the revival of Belarusian language and culture, resonated with the position of the BPF, however, this affinity failed to produce a political alliance.<sup>695</sup> Shushkevich had also been a Chernobyl activist and one of the critics of the official secrecy surrounding the disaster and its consequences, which launched him into politics.<sup>696</sup> Like Kravchanka, Shushkevich had maintained a consistent anti-nuclear stance throughout his tenure as the Speaker of the Savet from 1991 to 1994.

In December 1991, Shushkevich became the host the historic meeting at the government compound in the Belavezha Forest in western Belarus, where, together with Russian President Yeltsin and Ukrainian President Kravchuk, he signed a declaration dissolving the Soviet Union and forming the CIS. For Belarus, the CIS provided a fully acceptable, even desirable, solution for the broad modes of co-existence with other post-Soviet republics, including in the military strategic sphere.

Later in the month, Belarus signed agreements formalizing of the joint control over the former USSR's strategic armaments under the CIS umbrella, and like Ukraine, committed to denuclearize by transferring tactical nuclear weapons to Russia by July 1, 1992 and strategic armaments by the end of 1994. While Ukraine remained weary of getting entangled in any

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<sup>695</sup> In fact, Shushkevich failed to forge any political alliances in the Savet and in 1994 became vulnerable to political attacks from the conservative majority. The stand off in the Savet was taken advantage of by a young and vociferous MP, a former collective farm boss, Alyaksandr Lukashenka, who happened to head a commission investigating alleged corruption charges against Shushkevich and ultimately succeeded in removing him from the post of the Speaker.

<sup>696</sup> Marples, *Belarus. From Soviet Rule to Nuclear Catastrophe*, 156, ft. 24; Zaprudnik, *Belarus: At the Crossroads of History*, 166.

military-strategic arrangements within the CIS, other than those that presented an unavoidable necessity, Belarus was a more willing participant in the CIS military agreements, including on the Joint Armed Forces (JAF). Even though on one occasion, Shushkevich called the JAF an absurd idea since different states could not share an army, he nevertheless signed the agreement on JAF in March 1992, though only for the “transitional period” of two years.<sup>697</sup>

Continuity and slow, incremental change became the hallmark of Belarus’s transition to independent statehood. This aversion to change and the preference for cooperative arrangements within the post-Soviet space, together with the influence the Chernobyl tragedy continued to wield in Belarusian political life, also yielded continuity in Belarus’s stance on nuclear weapons on its territory. Like their counterparts in Ukraine and Kazakhstan, Belarusian leaders were not unaware of the ambiguities the collapse of the nuclear superpower created with regard to the status of nuclear forces on its territory as well as the status of the non-Russian Soviet successors in regard to nuclear-related commitments of the former Soviet Union. Yet a coherent claim that Belarus was entitled to ‘its’ nuclear weapons or compensation in exchange for them failed to emerge.

### **START and NPT Succession: The Road to Lisbon**

As in other non-Russian successor states, the Belarusian leaders came to fully grasp the significance of their nuclear inheritance through the singular focus placed on the nuclear issue by their new Western interlocutors. For shortly following the official dissolution of the Soviet Union and the granting of diplomatic recognition to Belarus, Minsk suddenly became a destination for the Western government officials whose primary focus was nuclear nonproliferation and disarmament.

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<sup>697</sup> *Soglaseniie ob Ob’edinennykh Vooruzhennykh Silakh na perekhodnoi period* [*Agreement on Joint Armed Forces for the Transition Period*]; “Transcript of the Interview of S. Shushkevich with Folha de S. Paulo,” January 26, 1992, Fond 968, Opis 1, Delo 4152, List 206-209, National Archive of the Republic of Belarus.

The first US official to visit independent Belarus was Undersecretary of State Reginald Bartholomew who arrived in Minsk on January 20, 1992, to discuss nuclear disarmament. He held a series of meetings with Shushkevich, a select group of Belarusian MPs, representative of the Ministry of Foreign Affairs and military commanders. The difference in priorities in the agendas of the two sides was striking throughout the discussions. Bartholomew was following up with the former republics on the arrangements made between the US and Gorbachev with regard to the withdrawal of tactical nuclear weapons and deactivation of those strategic weapons that fell under the START obligations, as well as Belarus's accession to the NPT. Belarusians, on the other hand, were concerned primarily with military conversion and the socio-economic problems created by the collapse of the Soviet Union and its military.<sup>698</sup> Overall, the US side and the nonproliferation agenda it brought to the table dominated heavily all of the meetings.

Bartholomew urged Belarus to join the NPT as a NNWS and accept IAEA safeguards as soon as possible, suggesting that Belarus could become the first former Soviet republic to do so thus elevating its international standing.<sup>699</sup> The US was primarily concerned that single control over former Soviet nuclear weapons be maintained and did not view the mere physical presence of nuclear armaments on the territory of non-Russian republics as an impediment to their membership in the NPT, as long as they undertook to surrender them.<sup>700</sup> Bartholomew also informed the Belarusians that the US government had made technical assistance funds available for the denuclearization process but warned that neither technical nor economic aid would be forthcoming if the US saw substantial political and economic resources committed to maintaining or building up the military.<sup>701</sup>

This must have sounded strange to the Belarusians, who were deeply mired in Soviet economic decay and whose greatest challenge at the time was not how to finance a military build-up but

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<sup>698</sup> "Minutes of the Meetings with US Undersecretary of State R. Bartholomew," 46.

<sup>699</sup> "Minutes of the Meetings with US Undersecretary of State R. Bartholomew."

<sup>700</sup> Ibid., 50.

<sup>701</sup> Ibid., 55.

how to manage the military downscaling. They emphasized that there was no political impediments to nuclear disarmament, but the process was due to create severe social problems: the republic had already suffered from a rushed withdrawal of troops from Eastern Europe, swamped by the military personnel it had no means to house, and could hardly absorb any more troops and their families released by the downsizing of the enormous Soviet army in general, and the military units associated with strategic armaments, in particular.<sup>702</sup> Shushkevich stressed the need for the US help with conversion and reintegration of professionals occupied by the military into civilian occupations, as well as social protection of all former servicemen and their families.<sup>703</sup> Later foreign minister Kravchanka would stress that the speed of Belarusian denuclearization depended only on the promptness of Western technical assistance for the dismantlement and transport of nuclear weapons to Russia.<sup>704</sup>

The Belarusian side communicated its strong and unwavering commitment to denuclearize. Shushkevich confirmed that about 50% of the tactical nuclear weapons had already been transferred out of the republic, as he put it, “by the same structures that brought them in,” that is Moscow-controlled troops.<sup>705</sup> Deputy foreign minister of Belarus Uladzimir Syanko, confirmed that as a country that had “suffered most from nuclear materials,” Belarus was strongly committed to maintaining joint CIS control over nuclear weapons, “until they leave the [Belarusian] territory forever.”<sup>706</sup> Yet he stressed that Belarus, now a sovereign state, wanted to exercise control over all actions that concern nuclear weapons on its territory until they were dismantled.<sup>707</sup>

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<sup>702</sup> Ibid., 46, 59.

<sup>703</sup> Bartholomew quickly sidestepped Belarusian concerns by promising to refer conversion issues to the Pentagon and noting that the US was also adversely affected by nuclear reductions Ibid., 46, 48.

<sup>704</sup> *Zviazda*, March 28, 1992. Quoted in Zaprudnik, *Belarus: At the Crossroads of History*, 214.

<sup>705</sup> “Minutes of the Meetings with US Undersecretary of State R. Bartholomew,” 45.

<sup>706</sup> Ibid., 55.

<sup>707</sup> Ibid., 54.

The questions of START ratification and implementation seemed a bit hazier in legal terms. Bartholomew expressed the US preference to deal with one partner in the START matters.<sup>708</sup> The Belarusian side, however, expressed a cautious objection to such approach, reminding Bartholomew that Belarus as a sovereign nation expected to be an independent participant in international treaties and would only support those treaties, the implementation of which it could influence.<sup>709</sup> It seemed that Belarusian politicians were more eager to assert their newly found sovereignty with their Western interlocutors than they were within the post-Soviet space.

The legal solution to START succession had been negotiated and took the form of the Lisbon Protocol signed by the US, Russia, Belarus, Kazakhstan and Ukraine on May 24, 1992, whereby Belarus pledged to join the NPT as a NNWS in the shortest possible time and eliminate all nuclear weapons on its territory. As with other non-Russian successor states, becoming a party to START as an “equal successor-state” of the USSR spelled much ambiguity with regard to Belarus’s nuclear status, pending its accession to the NPT as a NNWS. In retrospect, foreign minister Kravchanka in his memoirs rather straightforwardly claimed that the signature of the Lisbon Protocol endowed Belarus with the *de jure* nuclear status for the eight months until it joined the NPT.<sup>710</sup>

At the time however, Belarusian politicians made no such explicit claims and certainly did not venture to contest the status and fate of nuclear weapons on Belarusian territory. Strategic units on the Belarusian territory continued to be firmly in Russian hands under the umbrella of the CIS. In practical terms, the signing of the Lisbon Protocol meant that Minsk now became an independent point of entry for START-related inspections and verifications. Belarusian government welcomed this development, among other things, for a rather prosaic reason that

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<sup>708</sup> Ibid., 41.

<sup>709</sup> Ibid., 49-50.

<sup>710</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 334.

the refueling of US aircraft on which the inspectors arrived would bring the much-needed hard currency into Belarus's depleted coffers.<sup>711</sup>

### **National Security Narratives: Between Neutrality and Russia**

During Belarus's ascendance to independent statehood in the early 1990s, its new security identity was invariably declared as pursuit of neutrality and nuclear disarmament. It is not immediately clear why neutrality and nuclear renunciation should go hand in hand. After all, bereft of support of military alliances with great powers, a neutral state might seek to retain or obtain nuclear weapons to better provide for its security. Yet in the Belarusian political discourse the pursuit of neutrality and nonnuclear status went hand in hand, enduring the collapse of the Soviet Union and transition into independent statehood. Moreover, Belarus continued to go beyond the call of duty by pushing forward with the initiative to create a nuclear-free zone. While neutrality and a nuclear-free zone eventually proved illusive, nothing stood in the way of Belarus's denuclearization and accession to the NPT as a NNWS. It is worth examining in more detail what underpinned Belarus's unwavering commitment to become nonnuclear and its normative entrepreneurship on the nuclear-free zone.

#### *Neutrality and a nuclear-free zone*

On October 2, 1991, the Vyarkhouny Savet of Belarus adopted the foreign policy guidelines, which declared Belarus's determination to join a number of international treaties and charters, including the Helsinki Final Act of the CSCE, committed Belarus to nuclear disarmament and called for commencing negotiations on "declaring the European continent a nuclear-free zone."<sup>712</sup> On the same day, at the 46<sup>th</sup> session of the UNGA, foreign minister Kravchanka

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<sup>711</sup> "Letter of the Minister of Foreign Affairs of Belarus P. Kravchanka to the Chairman of the Council of Ministers V. Kebich," April 13, 1993, Fond 7, Opis 12, Delo 743, List 51, National Archive of the Republic of Belarus.

<sup>712</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie "O Zaianlenii Verkhovnogo Soveta Respubliki Belarus "O Printsipakh Vneshnepoliticheskoi Deiatelnosti Respubliki Belarus"* [Resolution On the Statement of the Vyarkhounyi Savet of the Republic of Belarus "On Principles of Foreign Policy of the Republic of Belarus"] No. 1114-XII, October 2, 1991, <http://pravo.levonevsky.org/bazaby09/sbor90/text90119.htm>.

presented these foreign policy principles and priorities, which included mobilizing international support for the Chernobyl problem, which he called a national tragedy, as well as transformation of Belarus into a nuclear-free zone and a neutral state.<sup>713</sup> “I wish to stress that the achievement of this priority is dictated by the fundamental interests of our people, especially in the post-Chernobyl era,” emphasized Kravchanka.<sup>714</sup>

Furthermore, Kravchanka reiterated Belarus’s initiative, already proposed at the previous UNGA session, to establish a nuclear free-belt “from the Baltic Sea to the Black Sea that would include Belarus, the three Baltic states and Ukraine.”<sup>715</sup> In January 1992, addressing the CSCE meeting in Prague, Kravchanka repeated his calls for “a nuclear-free belt in the center of Europe,” this time expanding geography to “include the Scandinavian countries in Northern Europe, embrace the Baltic area as well as the states of Central and Eastern Europe.”<sup>716</sup>

Certainly, the experience of Chernobyl tinted all discussions of nuclear matters in Belarus and was a big part of Belarusian anti-nuclear normative entrepreneurship on the international stage. However, Belarusian search for neutrality and nuclear-free status went beyond the immediacy of the anti-nuclear sentiment borne out of Chernobyl and emerged as part of the understanding of Belarus’s historic security predicament. Savet Speaker Shushkevich had once described Belarusian society as besieged by three historic traumas: WWII, the Afghan war and Chernobyl. “Retaining nuclear weapons on Belarusian territory would simply prolong the process of recovery from these syndromes.”<sup>717</sup>

In his speech to the UN in October 1990, Kravchanka declared that Belarus was among the states “which are tired of being prisoners and hostages to an atomic Armageddon” and thus

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<sup>713</sup> “Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Republic of Belarus. Provisional Verbatim Record of the 11th Meeting, 46th Session of the UN General Assembly. A/46/PV.11,” October 2, 1991, 63–72, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/46/PV.11](http://www.un.org/ga/search/view_doc.asp?symbol=A/46/PV.11).

<sup>714</sup> Ibid., 68.

<sup>715</sup> Ibid.

<sup>716</sup> Quoted in Zaprudnik, *Belarus: At the Crossroads of History*, 205–6.

<sup>717</sup> Shushkevich’s interview with William Potter, October 3, 1994, recounted in Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*.

wanted to strengthen the NPT and the regime based on the Treaty.<sup>718</sup> His remarks a year later from the same podium reiterated this theme:

The truth is that the [Belarusian people are] tired of being hostage to other people's military decisions. Far too often, and all too ruthlessly, our well-being, culture and future were trampled underfoot by the military boot. Today, we are doubly reluctant to be hostages to other people's nuclear decisions.<sup>719</sup>

If Belarus were to move forward into a future that would be different from its past, it had to remove itself from entanglement with alliances that use it as the first line of defense and its people as gun fodder. Kravchanka made a similar point during the CSCE meeting in Prague in January 1992, when he said: "we do not want an aggressor's military boot trampling on our lands. We do not want to be hostage to alien powers' nuclear ambitions or nuclear cataclysms, similar to the one in Chernobyl."<sup>720</sup>

By the "alien powers" at whose mercy Belarus no longer wished to be Kravchanka clearly did not mean only Moscow. Rather, he seemed to refer to the country's historic experience of being the hapless battleground for wars and atrocities in which it was bereft of agency. It referred to nuclear powers both to the West and to the East. It referred to the suffering of the Belarusian people from the accident on the nuclear power plant that was not even on their own territory. Later, a number of Belarusian officials have referred to the great insecurity arising for Belarus from being trapped in a new confrontation between military alliances in Europe.<sup>721</sup> Thus, it was the desire to seek security by removing the country from either alliance and setting it within a neutral safety belt that was at the core of Belarusian normative entrepreneurship advocating for the Central European or even pan-European nuclear-free zone.

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<sup>718</sup> "Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Byelorussian SSR, Provisional Verbatim Record of the 32nd Meeting, 45th Session of the UN General Assembly, A/45/PV.32."

<sup>719</sup> "Statement by Pyotr Kravchanka, Minister of Foreign Affairs of the Republic of Belarus. Provisional Verbatim Record of the 11th Meeting, 46th Session of the UN General Assembly. A/46/PV.11," 71.

<sup>720</sup> *Litaratura i Mastatstva*, March 20, 1992. Quoted in Zaprudnik, *Belarus: At the Crossroads of History*, 210.

<sup>721</sup> Vyachaslau Paznyak, "Belarus: In Search of a Security Identity," in *Security Dilemmas in Russia and Eurasia*, ed. Roy Allison and Christoph Bruth (London: Royal Institute of International Affairs, Russia and Eurasia Programme, 1998), 169.



Yet even the proponents of this new vision of Belarusian security based on nonnuclear neutrality, such as Kravchanka and Shushkevich, realized that a close cooperation with Russia and the post-Soviet institutions was a sober necessity Belarus could not sidestep in the foreseeable future. At the CSCE meeting in Prague, Kravchanka stated that, whatever the European ambitions of the post-Soviet states may be, even if the CIS falters there would emerge a similar economic and political association in its place:

For the next 10-15 years we are simply condemned to live together (whether someone likes it or not). There is something greater than the will and desires of politicians, than their stately ambitions. It is the harsh political necessity, which cannot be discarded.<sup>722</sup>

The “condemned” to coexist formulation, coming from Kravchanka is telling in how even the relatively progressive and proactive representatives of the Belarusian political elite viewed their country’s predicament. While Belarus aspired to neutrality to overcome its past, it nevertheless had very little capacity to shape its new role in the international society autonomously. Those who desired neutrality but recognized the imperative to cooperate with Russia in the post-Soviet space pinned their hopes on the reconstituted identity in Moscow. For instance, Shushkevich, who at times spoke of Moscow as his country’s historic oppressor, nevertheless saw no impediment to cooperating with Russia now that it was a striving fellow democracy.<sup>723</sup>

Thus, the realization of Belarus’s small size and stature, as well as of its limited capacity to operate an independent state and provide for its security alone, not to mention in opposition to a powerful state such as Russia, had bearing upon the way politicians across the entire political spectrum, except perhaps for the core of the BPF, viewed relations with Russia and the CIS. Neutrality seemed to be a luxury Belarus could hardly afford in practice.

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<sup>722</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika* [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician], 316.

<sup>723</sup> “Transcript of the Interview of S. Shushkevich to Polish Paper Sztandar Młodych,” December 12, 1992, Fond 968, Opis 1, Delo 4174, List 12-14, National Archive of the Republic of Belarus.

The image of Belarus as a “hostage” drawn by Kravchanka presumed a certain distancing of the Belarusian identity from its Soviet past. Such distancing could only go so far in the Belarusian political context. The understanding of the Belarusian experience as expressly distinct from the Soviet experience did not resonate with the great portion of the Belarusian society, including the conservative old-guard majority in the Savet, many of them WWII veterans. As discussed above, the dominating narrative of Belarusian identity was deeply permeated by the Soviet experience and the perception of Russia as a kindred Slavic nation. For them, Belarus as an independent state was not only condemned to live with Russia, but its very survival was inconceivable without a close cooperation with Moscow and maintaining a common military-strategic space. As one MP, Vasil Dalgalyeu put it, “Russia and [Belarus] are one single body.”<sup>724</sup> The organic gravitation toward Russia was also combined with distrust toward the West. Most clearly this position was articulated by a Soviet army colonel and WWII hero Nikolai Laktyushin in his address to the Savet in February 1993:

There are people amongst us who want to lead the country toward the break with Russia. [But] we are Siamese twins that cannot be separated... We need to seek a strong partner who can always help us in tough times, and as for our Western adversaries – everyone knows that the worse things are for us, the better it is for them, and that goes in particular for the US. Belarus is a trifling thing for them.<sup>725</sup>

The only thing standing between this vision of Belarusian security and its alliance with Russia was the declared Belarusian neutrality. When in May 1992, during the CIS meeting in Tashkent, Uzbekistan, Moscow proposed the CIS Collective Security Treaty, it became obvious that obligations under the treaty to treat an aggression against one party as aggression against all was

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<sup>724</sup> “Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus],” February 4, 1993, 126, Fond 968, Opis 1, Delo 3170, National Archive of the Republic of Belarus.

<sup>725</sup> Ibid., 88–89.

difficult to reconcile with the commitment to neutrality.<sup>726</sup> Shushkevich, who represented Belarus in Tashkent, abstained from signing the treaty, which many of Belarusian MPs considered a strategic mistake. Chief among the critics was Alyaksandr Lukashenka, Belarus's future president, who had on one occasion expressed the hope that some day "we will sober up and join the collective security treaty."<sup>727</sup>

This historically predicated affiliation with Moscow was aided by the disproportionately great weight of army and defense sector in the Belarusian economic and political life. During the late Soviet period, Belarus was one of the most militarized Soviet republics. At the time of Soviet collapse over 200,000 troops were stationed in Belarus, a staggering number for a republic of only 10 million, deemed to require only somewhere between 30,000 and 60,000 for its defenses.<sup>728</sup> Belarusian Prime Minister Kebich speaking to a military audience in February 1992, placed the degree of Belarus's militarization in a context: "Today in Belarus for every forty-three inhabitants there is one military person. By comparison, in Ukraine there is one for every ninety-eight, in Kazakhstan – one for 118, ... and in Russia – one for 634."<sup>729</sup> Belarus was simply unable to quickly subordinate and financially maintain such a large number of troops.

In addition to the army itself, defense industry accounted for about 55% of the national output, employing some 250,000 people.<sup>730</sup> Military-industrial integration with and economic dependency on Russia for the survival of these industries and the country's economy in general was exceedingly high. In February 1993, Belarusian defense minister Kazlouski would bluntly

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<sup>726</sup> Article 4, "Dogovor O Kollektivnoi Bezopasnosti [Treaty on Collective Security]," May 15, 1992, <http://cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=79>.

<sup>727</sup> "Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus]," 133.

<sup>728</sup> The number range between 160,000 and 240,000. See Zaprudnik, *Belarus: At the Crossroads of History*, 206–7. [FBIS ref quote by Kazlouski in April 1992]

<sup>729</sup> *Zviazda*, February 13, 1992, quoted in *ibid.*, 207.

<sup>730</sup> Tiurina, "Neutrality, Maybe," 37.

tell the Savet that without spare parts and military supplies from Russia and Ukraine, Belarus could not have battle-ready and capable armed forces at all.<sup>731</sup>

Together, historical affinity with Russia, as well as the high level of military-industrial dependence, created a formidable pull toward post-Soviet continuity in military-strategic affairs, like in most other areas of Belarusian post-Soviet life. Nowhere was it more visible than in the slow process of the formation of the Belarusian armed forces. While in Ukraine, the national subordination of all military units on its territory became a top priority immediately after the declaration of independence in August 1991, Belarusian authorities proceeded with this task in a slow and gradual manner, attentive not to upset any potential military developments within the CIS.

In September 1991, the Savet decreed to begin the process of establishing Belarusian armed forces and, in an obscurely worded formulation, subordinated the “local organs of military governance” to its Council of Ministers.<sup>732</sup> Yet the move changed little in practice. Ironically, the next impetus for the creation of armed forces came from the stubborn refusal of the CIS high command to recognize the right of former republics to their own armed forces. On January 6, 1992, Shaposhnikov sent an encrypted telegram to the officer corps in the non-Russian successor state urging them to take a military oath of allegiance to the Russian president, which resulted in a heated debate in the Belarusian parliament.<sup>733</sup> As one of the Belarusian newspapers observed, the telegram did something the BPF had not been able to achieve in many

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<sup>731</sup> “Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus],” 57.

<sup>732</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie* “O Sozdanii Vooruzhennykh Sil Respubliki Belarus” [*Resolution on the Creation of the Armed Forces of the Republic of Belarus*] No. 1099-XII, September 20, 1991, <http://pravo.levonevsky.org/bazaby09/sbor90/text90149.htm>; Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie* “O Podchinenii Sovetu Ministrov Respubliki Belarus Mestnykh Organov Voennogo Upravleniia Respubliki Belarus” [*Resolution on the Subordination to the Council of Ministers of the Republic of Belarus of the Local Organs of Military Governance of the Republic of Belarus*] No. 1093-XII, September 20, 1991, <http://pravo.levonevsky.org/bazaby09/sbor90/text90146.htm>.

<sup>733</sup> “Parliament Opens Debate on Military Issues,” *Novosti* (Ostankino Television First Program Network. Transcript in FBIS-SOV-92-007, January 9, 1992).

months: “Even the most obstinate politicians began to incline towards the idea of Belarus’s own army.”<sup>734</sup>

Following the incident, on January 11, 1992, the Savet rushed to pass a text of the Belarusian oath.<sup>735</sup> The Savet also decreed to subordinate all military units on the Belarusian territory, except for strategic troops, to the Cabinet of Ministers and establish Belarusian ministry of defense.<sup>736</sup> The resolution was passed despite the opposition from a number of MPs, including Lukashenka, mostly on the grounds that subordinating military units to Belarusian authorities would contradict Belarus’s participation in the JAF of the CIS.<sup>737</sup> In March 1992, Savet passed yet another resolution, mandating not mere subordination of military units but the formation of a national army.<sup>738</sup> Yet concerted efforts to do so did not start until late 1992, when the Savet finally enacted the Law on Armed Forces of Belarus and insisted that the Belarusian military oath be administered by December 31, 1992, a full year after the collapse of the Soviet Union. This clearly indicated that there had been little movement on the administration of military oath in Belarus prior to that, despite the Savet resolution of January 1992 approving the text of the oath.

Belarus’s declared neutrality soon lost any meaning. The CIS collective security treaty remained on the table and was eventually submitted for Savet’s review and ratification in spring of 1993. Despite the heated debate and opposition from the BPF, the Savet ratified the Treaty with 188

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<sup>734</sup> Narodnaia Hazeta, January 10, 1992, in Zaprudnik, *Belarus: At the Crossroads of History*, 214.

<sup>735</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie “O Voiennoi Prisiage”* [Resolution “On Military Oath”] No.1402-XII, January 11, 1992, <http://arc.pravoby.info/documentf/part8/aktf8113.htm>.

<sup>736</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie “O Vooruzhennykh Silakh Dislotsirovshchikhsia Na Territorii Respubliki Belarus”* [Resolution “On Armed Forces Stationed on the Territory of the Republic of Belarus”] No.1403-XII, January 11, 1992, <http://arc.pravoby.info/documentf/part8/aktf8117.htm>.

<sup>737</sup> “Protokol No. 19. Stenogramma Sessiii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 19. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus],” January 11, 1992, Fond 968, Opis 1, Delo 3035, List 43-110, National Archive of the Republic of Belarus.

<sup>738</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie “O Vooruzhennykh Silakh Respubliki Belarus”* [Resolution “On Armed Forces of the Republic of Belarus”] No.1530-XII, March 18, 1992, <http://www.pravo.levonevsky.org/bazaby09/sbor89/text89370.htm>.

votes in favor and 32 against.<sup>739</sup> Later in 1994, Shushkevich's successor Myachaslau Hryb, all but dismissed neutrality altogether saying that it was "fine in theory, but it is for tomorrow."<sup>740</sup> While Belarus's proclaimed neutrality, as well as the prospect of a nuclear-free zone advocated by Kravchanka, were thus relegated to history, the military-strategic alignment with Russia not only did not impede but helped keep Belarus's accession to the NPT as a NNWS on its track.

### *Nuclear Arms between Neutrality and Moscow*

As in Ukraine and Kazakhstan, the imperative of maintaining single control over nuclear weaponry had the potential for framing the nuclear question in two divergent ways. One set of arguments was driven by the desire to establish full independence and sever ties with Moscow. This dictated ridding the country completely of the Russian controlled armaments as a link and a potential lever that could be used by Moscow to control its former domains. This logic seemed to have been behind Rukh's and possibly BPF's advocacy of nuclear renunciation in the 1990 Declarations. Yet in Belarus such anti-Russian position would have been much more radical and more divisive than in Ukraine. In addition, the country's continued non-nuclear stance stemmed to a great degree from the Chernobyl trauma, as well as its broader historical experience discussed above.

Another approach to the unified control of nuclear armaments was in fact to embrace what the first approach was trying to avoid: preserve nuclear armaments under the Russian command as a way to preserve collective defenses in post-Soviet space, a position favored by the CIS commander Marshal Shaposhnikov and other former Soviet military brass. Very few in Ukraine favored such an approach and those who might have, were cautious about voicing such preferences amid the prevailing drive to distance the country from Moscow. In Belarus, however, the logic of unity and cooperation with Moscow, including in the military sphere, was

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<sup>739</sup> "Protokol No. 13. Stenogramma Sessii Verkhovnogo Soveta Respubliki Belarus [Protocol No. 13. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus]," April 8, 1993, Fond 968, Opis 1, Delo 3187, List 27-123, National Archive of the Republic of Belarus.

<sup>740</sup> Cited in Sanford, "Nation, State and Independence in Belarus," 239.

viewed by the majority as not only compatible with Belarusian sovereignty but as strengthening its security.

Thus, the desire to preserve military ties with Moscow had the potential for translating into a reluctance to transfer nuclear arms to Russia. Belarusian first defense minister Lieutenant General Pyotr Chaus, a veteran the Soviet Afghan campaign, after his appointment to the position on December 11, 1991 stated that Belarus “should not be in a hurry to hand over nuclear weapons employed on the territory of the republic to anybody.”<sup>741</sup> This, according to Chaus, would not hinder the republics gradual transition to the status of a neutral, nonnuclear weapons state.<sup>742</sup> Chaus’s remarks were underpinned by the resistance to Soviet military disintegration and the imperative to preserve collective security. The defense minister was adamant that under no circumstance should the existing ties between the republics of the former Soviet Union be broken, despite them becoming sovereign states.<sup>743</sup>

In April 1992, Chaus was replaced by Pavel Kazlousky, the former Chief of Staff of the Belarusian Military District and a one-time supporter of the August coup.<sup>744</sup> In a speech to the Savet before his appointment, Kazlousky took a more assertive stance on the issue of nuclear arms in relations with the West:

Most important international communications run through and over Belarus, and we must assume that the European Community is interested in the maintenance of stability in our region. So far, this factor has not been borne in mind and exploited sufficiently; this also applies to the way that we tackle our defense tasks. While avoiding the slightest trace of nuclear blackmail, *diktat*, or ultimatums in our dialogue with the West, Belarus is entitled to expect compensation for its voluntary renunciation of the status of a nuclear state. In return for guarantees of military-strategic stability, the West can offer much [more], and we must not be afraid of a sensible, civilized, political deal.<sup>745</sup>

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<sup>741</sup> “Defense Chief: No Hurry Over Nuclear Arms,” *TASS International Service in FBIS-SOV-91-239*, December 11, 1991.

<sup>742</sup> Ibid.

<sup>743</sup> “Acting Defense Minister on CIS Kiev Meeting,” *TASS International Service in FBIS-SOV-92-056*, March 21, 1992.

<sup>744</sup> Zaprudnik, *Belarus: At the Crossroads of History*, 162–3.

<sup>745</sup> “New Defense Minister Views Military Policy” (Belarusian Radio One Network. Transcript in FBIS-92-081, April 23, 1992).

The traces of Soviet military thinking are conspicuous in Kazlousky's treatment of the question of security guarantees: it was, in fact, the West that was receiving "guarantees of military-strategic stability" as a result of Belarusian nuclear renunciation and should thus compensate Belarus. Although Kazlousky remained committed to Belarus's nonnuclear status, like Chaus, he was in no rush to transfer nuclear weapons to Russia.<sup>746</sup> Kazlousky also considered the country's intention to pursue neutrality as difficult to attain due to Belarus's geopolitical role as Russia's gateway to the West.<sup>747</sup>

Indeed, despite the creation of the Belarusian defense ministry in January 1992, the Belarusian and Russian military space remained, for all terms and purposed, a single whole. This did not only mean the unimpeded transfer of nuclear weapons *from* Belarus, such as that of tactical nuclear weapons, but transfers *to* the republic. In February 1992, reports emerged that Russia had deployed further 27 SS-25 ICBMs that month to Belarus, increasing the total number to 81 from 54 declared in the START memorandum of July 1991.<sup>748</sup>

This was a markedly different situation from that in Ukraine, whose emerging security narrative and the drive to create independent military became constitutive of tensions with Russia and the CIS command, as well as Ukraine's emerging claim to nuclear ownership. Unlike Ukraine, which was reluctant to relinquish the former Soviet space to Russian domination, Belarus saw itself as Russia's partner in whatever post-Soviet settlement Russia would build, partly out of futility of resistance, partly due to common history and military tradition.

### **Belarus, Russia and the Nuclear Weapons**

While the process of establishing Belarusian own conventional army eventually got underway, it never impinged upon the essentially Russian guardianship of the strategic forces on Belarusian territory. Although in April 1992, Belarusian Prime Minister Kebich and CIS Commander

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<sup>746</sup> "Kozlovskiy on Status of Troops and Disarmament," *Izvestiya in FBIS-USR-92-183*, September 17, 1992.

<sup>747</sup> "Defense Minister Discusses Neutrality," *Interfax in FBIS-SOV-92-163*, August 20, 1992.

<sup>748</sup> Skootsky, "An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994," 69.



Shaposhnikov agreed a list of military units that comprised SF, the problem of financing these units remained unresolved.<sup>749</sup> No CIS budget had been adopted and the member contributions that were supposed to finance the JAF and SF were not coming. According to defense minister Kazlousky, by mid-1992, many of the strategic units had not been financed for several months, which obviously was problematic.<sup>750</sup> The sprawling former Soviet military infrastructure located on Belarus's territory laid a heavy financial burden on such a small republic as Belarus. As the multilateral CIS format was failing, Belarus turned directly to Russia to alleviate this burden.

On July 20, 1992, Belarusian and Russian governments met to sign a package of some 20 agreements, among them was the Treaty on Coordinating Activity in the Military Sphere. The Treaty essentially codified a type of strategic alliance where the two parties pledged not to permit their territories to be used by the third parties for the purposes of armed aggression and hostile activity against the other party.<sup>751</sup> The treaty did not include any robust obligations to come to each other's defense in case of aggression, but simply to hold bilateral consultations on defense should the need arise. Within this cooperative framework, the parties agreed that the Russian Federation should be responsible for financing all military installations of the SF located in Belarus until such time as they were dismantled, although there was a provision for some cost sharing on the maintenance of the military townships, where the servicemen resided.<sup>752</sup>

Two attachments to the treaty specified what constitutes "Strategic Forces" in a long list that included not only installations directly associated with the ICBM bases in Lida and Mozyr and the storage facilities for nuclear warheads, but every detachment, communication unit, administrative, medical and recreational facility formerly associated with the former Soviet SF,

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<sup>749</sup> "Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus]," List 55.

<sup>750</sup> Ibid.

<sup>751</sup> "'Dogovor O Koordinatsii Deiatelnosti v Voennoi Oblasti.' Dokumenty Po Vstreche Pravitelstv Respubliki Belarus I Rossiiskoi Federatsii 20 Iulia 1992 Goda ['Treaty on Coordinating Activity in the Military Sphere.' Documents of the Meeting of the Governments of the Republic of Belarus and the Russian Federation on July 20, 1992]," n.d., Fond 968, Opis 11, Delo 14, List 28-34, National Archive of the Republic of Belarus.

<sup>752</sup> Ibid.

including air defenses, air force and even former Soviet navy facilities (in a landlocked Belarus, those included a sanatorium and a radio communications post). The total number of military units and objects under the temporary Russian command and financial responsibility totaled over 160 in dozens of locations scattered all over the country.<sup>753</sup>

The Treaty was due to be ratified by the Belarusian parliament. However, until such time, a separate agreement, effective immediately, was signed on the same day as the Treaty, to regulate the operation of all units and installations listed in the two attachments until they were dismantled.<sup>754</sup> According to the agreement, the SF would serve in the interests of the CIS, according to the December 30, 1991 CIS Minsk Agreement, but could not be used without Belarus's consent.<sup>755</sup> Both citizens of Russia and Belarus would serve in SF and would take the CIS military oath. The dismantlement and transfer of the nuclear armaments to the Russian Federation would take place within the seven-year period provided by START and according to a mutually agreed schedule.<sup>756</sup>

In February 1993, when the chairman of Savet's national security and defense commission Myachaslau Hryb presented the July 1992 agreements to the Savet for ratification, he quite openly admitted that the drafting of the lists of what constituted SF was based on the considerations of which military units Belarus was capable, or rather incapable of supporting

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<sup>753</sup> “‘Prilozheniie 1. Spisok Soiedinei, Chastei I Uchrezhenii RVSN Vkluchennikh v Strategicheskie Sily.’ Dokumenty Po Vstreche Pravitelstv Respubliki Belarus I Rossiiskoi Federatsii 20 Iulia 1992 Goda [‘Attachment 1. List of Detachments, Units and Facilities of Strategic Rocket Forces Included in Strategic Forces.’ Documents of the Meeting of the Governments of the Republic of Belarus and the Russian Federation on July 20, 1992],” n.d., Fond 968, Opis 11, Delo 14, List 35-36, National Archive of the Republic of Belarus; “‘Prilozheniie 2. Spisok Soiedinei, Chastei I Uchrezhenii Strategicheskikh Sil Vremenno Razmeshchennykh Na Territorii Respubliki Belarus.’ Dokumenty Po Vstreche Pravitelstv Respubliki Belarus I Rossiiskoi Federatsii 20 Iulia 1992 Goda [‘Attachment 2. List of Detachments, Units and Facilities of Strategic Forces Temporarily Stationed on the Territory of the Republic of Belarus.’ Documents of the Meeting of the Governments of the Republic of Belarus and the Russian Federation on July 20, 1992],” n.d., Fond 968, Opis 11, Delo 14, List 37-45, National Archive of the Republic of Belarus.

<sup>754</sup> The Belarusian-Russian Treaty on coordination in military sphere was ratified on March 11, 1994.

<sup>755</sup> “‘Soglaseniie O Strategicheskikh Silakh, Vremenno Razmeshchennykh Na Territorii Respubliki Belarus. Dokumenty Po Vstreche Pravitelstv Respubliki Belarus I Rossiiskoi Federatsii 20 Iulia 1992 Goda [Agreement on Strategic Forces Temporarily Located on the Territory of the Republic of Belarus. Documents of the Meeting of the Governments of the Republic of Belarus and the Russian Federation on July 20, 1992],” n.d., Fond 968, Opis 11, Delo 14, List 50-53, National Archive of the Republic of Belarus.

<sup>756</sup> Ibid.

financially.<sup>757</sup> The set of July 1992 agreements essentially created temporary Russian military bases on the territory of Belarus, with some 33,000 troops under Russian command.<sup>758</sup> The status of strategic units as Russian bases was further formalized in the Treaty on the Status of the Russian Strategic Forces Temporarily Stationed in Belarus, concluded in September 1993.<sup>759</sup>

In a sense, the July 1992 Russian-Belarusian agreements were a model for the post-Soviet nuclear disarmament not only as far as Russia was concerned but for the US as well. They were the kind of desirable cooperative nuclear arrangements between Russia and other Soviet successors that the Ukrainian behavior was upsetting. Yet this model was only possible if the pervasive Russian military presence on a territory of another state was not regarded as threatening by that state but in fact the opposite: Russian sharing of the financial burden of maintaining a considerable part of Belarus's vast military infrastructure was cushioning its transition into independent statehood for which it was financially and otherwise unprepared.

### **Ratification of START-Lisbon and the NPT**

With the legalities of the succession to START settled, even if somewhat ambiguously, by the May 1992 Lisbon Protocol, and the practical and financial matters of strategic forces in Belarus agreed by the July 1992 Russian-Belarusian bilateral arrangements, there were few impediments left to the formal ratification of the START-Lisbon package and the accession to the NPT. In August 1992, foreign minister Kravchanka presented a letter to the republic's Cabinet of Ministers urging that these treaties be submitted to the Vyarkhouny Savet for ratification. Kravchanka explained the significance of START for the improvement of the "strategic climate"

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<sup>757</sup> "Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus]," List 49.

<sup>758</sup> The figure was provided by the Belarusian Minister of Defense Pavel Kazlousky to the Savet during the ratification of the agreements on February 4, 1993 *ibid.*, 121.

<sup>759</sup> "Dogovor Mezhdru Pravitelstvom Respubliki Belarus I Pravitelstvom Rossiiskoi Federatsii O Statuse Voinskiikh Formirovaniy Rossiyskoi Federatsii Iz Sostava Strategicheskikh Sil, Vremenno Razmeshchennykh Na Territorii Respubliki Belarus [Treaty between the Government of the Republic of Belarus and the Government of the Russian Federation Regarding the Status of the Military Units of the Russian Federation Belonging to the Strategic Forces Temporarily Stationed on the Territory of the Republic of Belarus]," September 24, 1993, <http://pravo.levonevsky.org/bazaby11/republic61/text559.htm>.

between the US and the USSR, now Russia, and as basis for further cuts in nuclear armaments negotiated by President Bush and President Yeltsin.<sup>760</sup> Kravchanka further elaborated that START puts such legal obligations on successor states of the USSR that must be carried out “regardless of changes in political regime or form of government” of the successor states and that these obligations as well as Belarus’s commitment to join the NPT were formalized in the Lisbon Protocol.<sup>761</sup>

The letter alluded to the shift in the way START obligations would be implemented. At first, Kravchanka wrote, it was thought that control over SF would be maintained by the CIS JAF and therefore obligations under START would be implemented by all CIS members in proportion to the armaments that are situated on their territory, although Belarus nevertheless undertook to denuclearize completely.<sup>762</sup> However, since then, the control over SF had been transferred to the Russian jurisdiction and now Belarus’s treaty obligations under START would be “mediated” by Russia in coordination with Belarus.<sup>763</sup> Essentially, this meant that despite becoming party to START, Belarus ‘delegated’ the implementation of the treaty to Russia. Just a few weeks later, in September 1992, the defense minister Kazlousky submitted a letter to the Council of Ministers similar, or rather, identical to that of Kravchanka and endorsed the submission of the START-Lisbon package and the NPT for ratification.<sup>764</sup>

The difference between Belarus and Ukraine in the framing of the START-Lisbon and NPT accession before their submission to the parliament is striking. The issue of Soviet succession, so important for Ukraine, in Belarus was completely reconciled with unchallenged Russian succession in the nuclear realm. Also, neither the considerations of financial compensation for

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<sup>760</sup> “Letter of Minister of Foreign Affairs of the Republic of Belarus P. Kravchanka to the Council of Ministers on Ratification of START, the Lisbon Protocol and the NPT,” August 18, 1992, Fond 7, Opis 12, Delo 376, List 151-153, National Archive of the Republic of Belarus.

<sup>761</sup> Ibid.

<sup>762</sup> Ibid.

<sup>763</sup> Ibid.

<sup>764</sup> “Letter of the Minister of Defense of Belarus Pavel Kazlouski to the Council of Minister of the Republic of Belarus,” September 8, 1992, Fond 7, Opis 12, Delo 376, List 155-156, National Archive of the Republic of Belarus. In fact,  $\frac{3}{4}$  of Kazlousky’s letter repeated verbatim that of the Kravchanka’s

fissile materials in the warheads relinquished, nor demands of security guarantees were voiced as preconditions for Belarus's nuclear renunciation.

On February 4, 1993, the Vyarkhouny Savet convened in a closed-door session to consider the entire package of international treaties in the military and security sphere submitted by the Council of Ministers, including the CIS agreements on SF, the July agreements with Russia, START-Lisbon and the NPT. Addressing the session and introducing the bills was foreign minister Kravchanka who focused first and foremost on START and the NPT. Kravchanka emphasized that Belarus did not initiate the discussions that led to the Lisbon Protocol, implying that, from his prospective, this added step of ratification was altogether superfluous.<sup>765</sup> Yet since Belarus was nevertheless made the signatory of the Protocol, it now had an opportunity to consider all questions concerning nuclear weapons on its territory.<sup>766</sup> Kravchanka stated that the nuclear weapons in Belarus were neither the property of Belarus, nor Russia but that they were in custody of the CIS JAF and were due to be transferred to Russia.<sup>767</sup>

Kravchanka stressed that Russia, the US, and Kazakhstan had already ratified the START-Lisbon package, although Kazakhstan had not yet ratified the NPT. He mentioned the "activation" of the Ukrainian position and attributed it to the fact that Ukraine's weapons (meaning obviously ICBM silos) would have to be destroyed on Ukraine's territory and that Ukraine was negotiating a considerable sum for assistance for this undertaking.<sup>768</sup> Belarus's situation was different: all of the ICBMs on its territory were land-mobile and could be easily transferred out. "The principled position of our state and you, the parliament," reminded Kravchanka, "is that the weapons cannot be destroyed on the territory of Belarus because of Chernobyl and the ecological problems."<sup>769</sup> Referring to the CTR funds, Kravchanka emphasized that Belarus due to receive

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<sup>765</sup> "Protokol No. 81. Stenogramma Sessii Verkhovnoho Soveta Respubliki Belarus [Protocol No. 81. Transcript of the Session of the Vyarkhouny Savet of the Republic of Belarus]," List 44.

<sup>766</sup> Ibid.

<sup>767</sup> Ibid.

<sup>768</sup> Ibid., List 45.

<sup>769</sup> Ibid.

technical assistance for its denuclearization.<sup>770</sup> In addition, Belarus would be compensated for some of the materials contained in the warheads such as uranium; the understanding to this effect had already been reached with Russia.<sup>771</sup>

On the issue of security assurances, Kravchanka stated that the NPT had a particular significance for Belarus, since under certain articles of the Treaty Belarus would become the recipient of “guarantees of nuclear security.”<sup>772</sup> He proceeded to explain to the MPs that the NPT contained a provision for security guarantees to the NNWS.<sup>773</sup> This of course was not exactly correct and it is difficult to imagine that Kravchanka did not know that. He mentioned Ukraine’s ploy to obtain additional security guarantees directly from the nuclear powers, which he considered a “political game,” and in some sense laudable.<sup>774</sup> Belarus would be eligible to obtain the same, he said, and presented a letter of the US Ambassador to Belarus that contained the text of such security assurances, which almost verbatim would eventually make it into the Budapest Memoranda. However, Kravchanka considered them superfluous, since he maintained they were already part of the NPT.<sup>775</sup> Kravchanka concluded by emphasizing the meaning of the NPT ratification for Belarus’s place in the world:

The ratification of [the NPT] means that Belarus as a nonnuclear state will be in the custody of the international community, the UN and other distinguished international organizations. Based on this and also considering the great attention that the world is paying to the position of Belarus, and considering also that today Belarus, to my deepest conviction, cannot be a nuclear state either theoretically or practically, the Ministry of Foreign Affairs and the Government are submitting for ratification these... international treaties. I am convinced that [their ratification] will be a significant step to advance international standing of our motherland.<sup>776</sup>

Savet’s security and defense commission chairman Hryb followed up on Kravchanka’s address by agreeing that the ratification of the START-Lisbon package was a way to put Belarus on the

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<sup>770</sup> Ibid.

<sup>771</sup> Ibid., List 46.

<sup>772</sup> Ibid.

<sup>773</sup> Ibid., 101.

<sup>774</sup> Ibid., 102.

<sup>775</sup> Ibid., 103.

<sup>776</sup> Ibid., 47.

map [*“zayavit’ o sebe”*].<sup>777</sup> He proceeded to introduce the Russian-Belarusian agreements of July 1992, which, he maintained, corresponds to the national interests of Belarus and present the only available way of alleviating the financial burden of the SF on Belarus’s territory. “From my meetings with NATO commanders and other representatives of [Western] military, I am firmly convinced that nobody will help us with anything in the solution of these questions,” Hryb said. “The best opportunity we have is to build a relationship with Russia on good, mutually beneficial basis.”<sup>778</sup>

While Kravchanka’s and Hryb’s stance on nuclear weapons seemed to have resonated with the majority of the MPs, during the deliberations three other stances emerged, albeit they sounded more like positions of caution and reservation rather than genuine opposition to the nuclear narrative put forward by the government. One such set of reservations raised doubt whether such transfers were in Belarus’s national security interests. Retaining Russian nuclear armaments on Belarusian territory was one of the ways to maintain the vestiges of the old Soviet unity and also make sure that Belarus had great power protection. Indeed, some MPs representing old-guard majority in the Savet voiced deep skepticism about the extend and nature of good will on behalf of the West toward Belarus as well as the international status Belarus could expect to gain from its nuclear renunciation.

The national-democratic opposition strongly countered such arguments. As one of the BPF leaders Lyavon Barshcheuski berated these nuclear hesitators as aiming to land Belarus in international isolation in order to then “throw themselves into the arms of a certain neighboring great power.”<sup>779</sup> Barshcheuski did voice a concern, however, that Belarus should receive a fair compensation for all materials contained in the warheads transferred to Russia.<sup>780</sup> His BPF

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<sup>777</sup> Ibid., List 48.

<sup>778</sup> Ibid., List 52.

<sup>779</sup> Ibid., 64.

<sup>780</sup> Ibid., 65.

colleague Aleg Trusau tried to introduce a reservation clause to the ratification bill demanding additional NATO assistance with denuclearization, but it was rejected.<sup>781</sup>

The primary concern of the opposition, however, was with the July agreements on the strategic nuclear forces and the continued presence of Russian-controlled troops on Belarusian territory which they saw as hindering Belarus's prospects of full independence. Trusau, for instance, was incensed by the fact that the citizens of Belarus were made to serve in the strategic units formally subordinated to Russia, which contradicted Belarus's laws and its determination to become a neutral state.<sup>782</sup> Unlike the Ukrainian national democrats, the BPF did not advocate the retention, temporary or otherwise, of the nuclear arms, since in Belarusian context it only spelled greater military and political entanglement with Russia.

The third set of reservations included pragmatic concerns about the legality of transfers and fair compensation for assets transferred voiced by the representatives of the Control Chamber [*Kontrol'naya Palata*, rus.], which was essentially a state accounting office that monitored the implementation of the republic's budget and kept track of state property. The Chamber's position was that the weapon transfers to Russia were illegal before the ratification of the July 1992 agreements with Russia and that Belarus should be fairly compensated for any such transfers. The Chamber's deputy chairman Vasil Dalgaleu recounted that the Chamber already halted a convoy of trucks carrying 13 disarmed missiles and returned them to the base.<sup>783</sup> These, he claimed, contained hundreds of tons of aluminum, titanium, tens of kilos of silver, gold and platinum. "We have no right to give away our assets to anyone," Dalgaleu concluded.<sup>784</sup> In addition, Belarus should be reimbursed for allowing Russia to base its troops in Belarus: MP V.

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<sup>781</sup> Ibid., 105–107.

<sup>782</sup> Ibid., 72.

<sup>783</sup> Ibid., 79–80.

<sup>784</sup> Ibid., 80.



Kakouka brought in the example of the US bases in Philippines for which, he claimed, the US paid millions of dollars.<sup>785</sup>

Outside of these reservations, no legalistic case for the succession rights to nuclear weapons on Belarus's territory was made, even to substantiate demands for compensation. Speaker Shushkevich who presided over the session, clearly supported Kravchanka's pro-NPT stance and shared some of Hryb's skepticism about Western assistance. He concluded the Savet deliberations of START-Lisbon and the NPT by stating that nuclear armaments on the Belarusian territory constituted a threat to rather than a guarantee of national security. He also emphasized the discrepancy between the status of Belarus as a formal party to START and the reality of having no control over the use of nuclear weapons:

...We cannot use these weapons on our territory for defense purposes because we do not control them. All of this is in a certain sense a farce because I authoritatively tell you now: we have no relation to these weapons.<sup>786</sup>

The START-Lisbon package was ratified by the overwhelming majority of 222 out of 250 with 1 vote against, 4 abstained, and with no reservations.<sup>787</sup> In a separate resolution, Belarus acceded to the NPT, with 221 votes in favor and 2 abstentions.<sup>788</sup> So self-evident was it to all involved that Belarus joined – and could only join – as a NNWS that the resolution did not bother specifying this. The July 1992 agreements of military cooperation with Russia, that were essential to managing the process of denuclearization, encountered both more pushback from the BPF

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<sup>785</sup> Ibid., 83.

<sup>786</sup> Ibid., 103.

<sup>787</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie "O Ratifikatsii Dogovora Mezhdru Soiurom Sovetskikh Sotsialisticheskikh Respublik I Soiedinennymi Shtatami Ameriki O Sokrashchenii I Ogranichenii Strategicheskikh Nastupatelnykh Vooruzheniy Ot 31 Iulia 1991 Goda I Protokola K Nastoiashchemu Dogovoru"* [Resolution On Ratification of the Treaty between the Union of Soviet Socialist Republics and the United States of America on Reductions and Limitations of the Strategic Offensive Weapons of 31 July 1991 and the Protocol to the Aforesaid Treaty] No.2165-XII, 1993, <http://pravo.levonevsky.org/bazaby/org66/master/text1042.htm>.

<sup>788</sup> Vyarkhouny Savet of the Republic of Belarus, *Postanovleniie "O Prisoiedinenii Respubliki Belarus K Dogovoru O Nerasprostraneniі Iadernogo Oruzhiia Ot 1 Iulia 1968 Goda"* [Resolution On the Accession of the Republic of Belarus to the Treaty on Nonproliferation of Nuclear Weapons of 1 July 1968] No. 2166-XII, 1993, <http://pravo.levonevsky.org/bazaby/org66/master/text1041.htm>.

during the deliberation and more negative votes, yet were passed by a significant majority of 200 nevertheless.

On February 9, President Clinton personally called Speaker Shushkevich to congratulate Belarus on the ratification of START and the NPT, assuring him that the US will provide Belarus with security assurances, technical assistance for disarmament, as well as economic aid.<sup>789</sup> Subsequently, in July 1993, Shushkevich traveled to Washington, DC and personally deposited Belarus's instrument of accession to the NPT with the US, one of the treaty's depositories. Thus, Belarus became the first of the non-Russian nuclear Soviet successor states to join the NPT.

### **Rewards as Afterthoughts**

The desire for recognition and possible rewards for the denuclearization were certainly not the drivers of Belarusian nuclear decisions, but rather afterthoughts. Whether out of pride or passivity, Belarusian officialdom never communicated to the West any conditions for disarmament, despite the intention defense minister Kazlousky expressed in April 1992 to drive an "intelligent and civilized political bargain" for the nuclear weapons or similar concern expressed during prior to ratification of START and the NPT in the Savet.<sup>790</sup>

The consistency and smoothness with which Belarus moved along the denuclearization path was mobilized to raise Belarus's international profile, however. In mid-1993, Belarus sought recognition for its nuclear renunciation by applying for the non-permanent UN Security Council seat for 1994-1995. Letters sent to foreign governments seeking their support for this Belarusian bid, stressed the significance of Belarusian foreign policy of "balance, consistency and constructiveness" as evidenced by the fact that it was the first, and so far the only, former Soviet

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<sup>789</sup> "Clinton Assures Security Guarantees, Aid," *BELINFORM in FBIS-SOV-93-026*, February 10, 1993.

<sup>790</sup> "New Defense Minister Views Military Policy."

state to fully carry out its obligations under the Lisbon Protocol and join the NPT.<sup>791</sup> The letters hailed Belarusian voluntary renunciation of “the possibility of real possession of the nuclear weapons,” the first of its kind in history and a step toward the Baltic-Black sea nuclear-free belt proposed by Belarus at the UN in 1990.<sup>792</sup>

Belarus’s bid for a seat at the UN Security Council was ultimately unsuccessful, nevertheless, the country received a kind of recognition when US President Clinton visited Minsk in January 1994, on the same occasion when he refused to leave the Kyiv airport due to tension in nuclear negotiations with Ukraine, thereby granting Belarus the endorsement denied to Ukraine. During his meeting with Speaker Shushkevich, Clinton commended the Belarusian government for their position on nuclear matters calling it “an example of disarmament, conversion and demilitarization.”<sup>793</sup> He emphasized the US interests in political and economic cooperation with Belarus, as well as the prospect of Belarus’s participation in NATO’s Partnership for Peace program.<sup>794</sup> Shushkevich repeated the familiar plea for the financial assistance with both nuclear and conventional disarmament and conversion.<sup>795</sup> “You know how consistently we have followed nuclear disarmament [policies],” Shushkevich stressed. “I think we recommended ourselves as a state that has no moral right to remain nuclear.”<sup>796</sup> Yet he emphasized that the disarmament as well as the cost of dealing with the aftermath of the Chernobyl disaster continued to levy a heavy financial cost on a small state of Belarus.

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<sup>791</sup> See Kebich’s letter asking the Czech republic to forgo their bid in favor of Belarus. “Letter of Prime-Minister of the Republic of Belarus V. Kebich to the Prime-Minister of the Czech Republic V. Klaus,” May 7, 1993, Fond 968, Opis 11, Delo 743, List 120-123, National Archive of the Republic of Belarus. Similar letters were sent to all European governments.

<sup>792</sup> Ibid. The claims of the “first voluntary renunciation” were repeatedly made not only by Belarus, but also by Ukraine and Kazakhstan. It seems neither of the states heard or cared to acknowledge the nuclear renunciation of the South African Republic, which actually preceded either of the three.

<sup>793</sup> “Stenogramma Vstrechi Predsedatelia Verkhovnoho Soveta Respubliki Belarus S. Shushkevicha S Prezidentom SShA W. Clintonom [Transcript of the Meeting of the Speaker of the Verkhovniy Sovet of the Republic of Belarus S. Shushkevich and the President of the US W. Clinton].”

<sup>794</sup> Ibid.

<sup>795</sup> Ibid.

<sup>796</sup> Ibid.

Shushkevich also expressed the hope that Belarus could benefit from the same arrangements regarding the compensation for the HEU contained in the nuclear warheads transferred to Russia from Belarus, as Ukraine had negotiated in the Trilateral Statement.<sup>797</sup> Both Clinton and the US Secretary of State Warren Christopher assured Shushkevich that the agreements negotiated with Ukraine and Kazakhstan would equally apply to Belarus. In addition, the US had earmarked some \$120 million in technical assistance from the CTR funds for Belarus.<sup>798</sup>

On the issue of compensation for HEU contained in the warheads removed from Belarusian territory, an understanding had been reached between Belarus and Russia in July 1992 when the package of agreements on cooperation in the military sphere were signed.<sup>799</sup> The agreement remained unimplemented until, in 1996, Lukashenka insisted that the compensation Russia owed for HEU be swapped for the Belarusian energy debt to Russia worth almost \$1 billion.<sup>800</sup>

With regard to the security guarantees obtained by the non-Russian nuclear successors in the process of denuclearization, Kravchanka turned out to be quite correct. His insistence during the deliberations of START and the NPT in the Savet that security guarantees were an integral part of the NPT text might have been a deliberate twisting of facts to convince the parliament to ratify these treaties or an honest misunderstanding. Either way, he was not mistaken in the conclusion that the non-Russian states were unlikely to get any more than the existing customary security assurances no matter how hard a bargain they drove. Furthermore, unlike in Ukraine, both political elites and the public in Belarus saw its security in cooperating with Russia and the CIS, not in Western guarantees.

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<sup>797</sup> Ibid.

<sup>798</sup> Office of the Coordinator of the U.S. Assistance to the NIS, "U.S. Government Assistance to and Cooperative Activities with the New Independent State of the Former Soviet Union. FY 1996 Annual Report," January 1997, 13, [http://www.fpa.org/usr\\_doc/37315.pdf](http://www.fpa.org/usr_doc/37315.pdf).

<sup>799</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 195–6.

<sup>800</sup> Ibid., 343.

Thus, Belarus became the unwitting beneficiary of the concessions and rewards, modest though they were, for nuclear disarmament obtained as a result of a harder bargain driven by Ukraine. These included not only the compensation for HEU, but also a separate document on security assurances signed with each of the non-Russian successors in connection to their accession to the NPT at the CSCE summit in Budapest on December 5, 1994.<sup>801</sup>

### **Lukashenka and the Halt of Missile Transfers**

The election of Alyaksandr Lukashenka as the first president of Belarus in July 1994 marked not only the strengthening of all sorts of Belarusian ties with Russia, including in the military sphere, but the reemergence of an idea of complete unification of the two countries. Any notion of neutrality that was originally intended to mitigate against just such a scenario was essentially dropped in practice, although not formally discarded in the new Belarusian constitution passed in March 1994. Lukashenka proceeded to establish a strong executive branch, diminishing the role of the Savet in the Belarusian political system and with it any meaningful political opposition, not only from the BPF but also from anyone who seemed to hold a dissenting view.

The Lukashenka presidency, which persist to this day, has become notorious as ‘the last dictatorship in Europe.’ Any advances in the redefinition of the Belarusian identity in the post-Soviet period were quickly reversed and the familiar Soviet narratives came back. The fate of the Belarusian Declaration of Sovereignty and the symbolic significance of the day on which it was passed are telling in that regard. Initially, like in Ukraine, the date of the Declaration’s adoption became the national Independence Day.<sup>802</sup> Yet in November 1996, Belarusians voted in a national referendum to change the celebration of the Independence Day to June 3, the date of the liberation of Minsk from the Nazis in 1944. They also voted to give Russian the status of the

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<sup>801</sup> “Memorandum on Security Assurances in Connection with the Republic of Belarus’s Accession to the Treaty on the Non-Proliferation of Nuclear Weapons,” December 5, 1994, [http://www.un.org/ga/search/view\\_doc.asp?symbol=CD/1287](http://www.un.org/ga/search/view_doc.asp?symbol=CD/1287).

<sup>802</sup> While in Ukraine, this date became soon superseded by the date on which the Act of Independence was adopted, August 24, 1991, in Belarus, July 27 remained celebrated as Independence Day until 1996.

second official language in the country, alongside Belarusian. The Belarusian Declaration itself lost legal force after the adoption of the new constitution in March 1994 when the parliament voted to void it as obsolete.<sup>803</sup>

From 1994 onwards, a new challenge emerged for Belarus, Russia and Ukraine – the prospect of NATO enlargement. Although Ukrainian leaders too saw the possibility of NATO expanding to their Western borders as unfavorable because it would leave Ukraine in a sort of buffer zone between the alliance and Russia, for Lukashenka and the Russian leadership it meant strengthening the existing collective security arrangement in response.<sup>804</sup>

In July 1995, with only one year left until the deadline for the withdrawal of strategic arms, President Lukashenka suspended the withdrawal of the remaining two regiments of Russian strategic forces deployed in Belarus, which added up to a total of 18 remaining SS-25 ICBMs. Lukashenka announced the move during the visit to the strategic forces divisions in Lida, claiming that the decision of the former Belarusian leaders to do so was a big political mistake: now that the two countries were drawing closer on all fronts and their full unification was not far off, the Russian missiles should be left where they were.<sup>805</sup> Some commentators cited technical and financial reasons for the move, including the financial burden of maintaining the bases and accommodations left behind by the Russian withdrawal. As one *Izvestia* article put it:

Some experts believe that it is not a matter here of the populist idea of the two countries' future unification or merger or of Minsk's ardent desire to have strategic missile forces, albeit foreign ones, on its territory, but of the very natural

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<sup>803</sup> Kurianovich, "Priniatie Deklaratsii O Gosudarsvennom Suverenitete: Fakti, Tsifri, Tsitati [The Adoption of the Declaration of State Sovereignty: Facts, Figures, Citations]."

<sup>804</sup> In his memoirs, Kravchanka, recounts a conversation he had in 1995 in the capacity of a chairman of the Savet foreign relations committee with his German counterpart Karl-Heinz Hornhues, in which the latter reported that Lukashenka had approached the Germans with a proposal to endorse NATO enlargement and even join the alliance at some point, in exchange for the German side's invitation of Lukashenka for a high-level official visit. Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 310–1.

<sup>805</sup> Viktor Litovkin, "President Lukashenka Has Suspended the Withdrawal of the Russian Strategic Forces from Belarus," *Izvestiya in FBIS-SOV-95-129*, July 6, 1995.

desire to shift its own economic cares onto someone else's shoulders – in this case Russia's.<sup>806</sup>

The idea to keep Russia in the position to share the financial burdens of maintaining or dismantling Belarus's military infrastructure and providing for its troops was nothing new, and the halt might have been an attempt to draw Russian attention to Belarus and reinvigorate the implementation of the stalling collective security arrangements. Still, it is doubtful that move was wholly unilateral on Lukashenka's part, bereft of any coordination with the Russian side, given the close ties between Belarus and Russia, as well as their joint vocal opposition to NATO expansion.<sup>807</sup>

On December 9, 1995, Russian Defense Minister Pavel Grachev arrived in Minsk to settle the issue of strategic missiles, and managed to get Belarusian agreement to completion of the transfers by September 1996.<sup>808</sup> Grachev and the Belarusian side also signed a host of agreements on closer military cooperation in air defenses, border control and military-industrial production. Following the signing, Grachev stressed the need to create a real collective security system and reiterated his opposition to the expansion of NATO.<sup>809</sup>

Despite of the agreements with Grachev, the transfers did not resume immediately, resulting in tensions with the command of Russian strategic forces.<sup>810</sup> At the same time, the Belarusian leaders made the linkage between NATO expansion and missile transfers more explicit. In April 1996, Belarus's deputy foreign minister Valeriy Tsyapkala told a news conference in Minsk that Russia might suspend the removal of the missiles altogether if NATO were to station tactical nuclear weapons on the territory of the Central European countries due to be admitted into the

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<sup>806</sup> Ibid.

<sup>807</sup> Yuriy Drakakhrust, "Conflict by Consent," *Belarusskaya Delovaya Gazeta in FBIS-SOV-95-152*, August 3, 1995.

<sup>808</sup> "Agreement Signed on Missile Withdrawal," *Interfax in FBIS-SOV-95-237*, December 9, 1995.

<sup>809</sup> "Russian Defense Minister Grachev Pays Visit [to Belarus], Reiterates Stand on NATO Expansion," *Segodnya* (NTV, transcribed in FBIS-SOV-95-237, December 9, 1995).

<sup>810</sup> "Belarus: Russian Rocket Forces Delayed Withdrawal Causes 'Discord'" (Radio Minsk Network in FBIS-SOV-96-110, June 6, 1996).

alliance.<sup>811</sup> On July 3, 1996, during the celebration of the anniversary of liberation of Minsk from Nazis, Lukashenka spoke in favor of the Central European nuclear-free zone, reviving an old theme in Belarusian nuclear discourse. Yet in Lukashenka's treatment, the nuclear-free zone proposal came as an alternative to NATO expansion. President Yeltsin endorsed the idea, stressing that Belarusian and Russian people "have realized through suffering the need to live in a world without nuclear danger, which may come close to the two countries' borders because of the plans for NATO enlargement."<sup>812</sup>

Ultimately, the transfer of the Russian ICBMs resumed and was completed on November 24, 1996, no doubt under the pressure from Moscow.<sup>813</sup> However, of the \$120 million available to Belarus in technical assistance, only \$77 million had been obligated by the end of 1996, due to the deteriorating US-Belarusian relations.<sup>814</sup> Lukashenka's government rejection of the CTR assistance funds led to the halt in the destruction, under START obligations, of the 81 launching pads for the mobile SS-25 ICBMs, of which allegedly only 3 have been destroyed, leaving the rest intact for Russia to redeploy land-mobile missiles to Belarus should it decide to do so.<sup>815</sup>

Thus, while Belarus was the first to accede to the NPT, it became last to rid its territory of all nuclear weapons. While the incident shed light on Lukashenka's position on NATO expansion and future alliance with Russia, it did not formally undermine Belarus's obligations under the NPT. Lukashenka did not move to assert independent control over these remaining nuclear forces and did not dispute their status as Russian armament stationed on the Belarusian soil. Any such claim would have brought him in conflict with Moscow and countervailed his attempts to strengthen the alliance with it. Thus, while the halt contradicted Belarus's commitment to

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<sup>811</sup> "Belarus: Tsyapkala: Moscow May Suspend Strategic Missile Pullout," *Interfax in FBIS-SOV-96-068*, April 5, 1996.

<sup>812</sup> "Belarus: Yeltsin Sends Lukashenka Message on Nuclear Security," *Izvestiya in FBIS-SOV-96-168*, August 28, 1996.

<sup>813</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 327.

<sup>814</sup> Office of the Coordinator of the U.S. Assistance to the NIS, "U.S. Government Assistance to and Cooperative Activities with the New Independent State of the Former Soviet Union. FY 1996 Annual Report," 13.

<sup>815</sup> Kravchenko, *Belarus Na Rasputie, Ili Pravda O Belovezhskom Soglashenii: Zapiski Diplomata I Politika [Belarus at the Crossroads, or Truth about Belavezha Accords: Notes of a Diplomat and Politician]*, 327.



transfer all nuclear weapons to Russia under the CIS Almaty agreement and the Lisbon Protocol, as long as the weapons remained under the Russian control, it had little bearing on Belarus's obligations under the NPT as a NNWS.

### **Conclusion: Belarus and the NPT**

As a result of great geopolitical changes, in 1991 Belarus washed up on the shores of independent statehood, which the majority of its citizens and political leaders neither sought, nor found easy to embrace. As Belarusian political elites grappled with this new reality, two visions of Belarusian future, its security, and its place in the international system emerged. One, propounded by the foreign minister Kravchanka to the international community and supported by a progressive minority of Belarusian leaders was a vision of Belarus as a neutral and nonnuclear state within a regional or even a pan-European nuclear-free zone. The other security narrative aspired to the maintenance of a single military-strategic space and close cooperation with Russia as a kindred entity and a provider of Belarusian security.

At the same time, the overwhelming majority of Belarusian leaders believed that if security was about survival, the survival of Belarus as an independent state was intrinsically tied to Russia and the post-Soviet cooperation, either by choice or by necessity. Both due to the affinity of Belarusian identity to Russia and the inability to independently shore up the burden of the vast military infrastructure left on its territory by the Soviet Union, Belarus eagerly entered into cooperative arrangements within the CIS and with Russia directly, eventually rendering its pledge of neutrality meaningless.

Neither of these security narratives seriously impeded Belarus's denuclearization and accession to the NPT. Unlike Ukraine, Belarus never attempted to clarify the ambiguous status of its nuclear inheritance and, although it gladly accepted some compensation for them, it never challenged the Russian custody and eventual jurisdiction over strategic forces on its territory. Some actors,

including President Lukashenka, were inclined to prolonging the stationing of Russian strategic forces in Belarus. While these attempts came in conflict with the US expectations and Belarusian pledges under the Lisbon Protocol to eliminate all arms on its territory, they did not contradict the prescriptions of the NPT.

For Belarus, to a greater degree than for Ukraine, the renunciation of nuclear weapons, before and after its independence, came as a direct corollary of the Chernobyl tragedy. There was little trace of *normative reasoning* by outside norm promoters, since, in view of Chernobyl, no argumentation about the ethical merits of the nonproliferation norm were necessary for Belarus. The nuclear aversion and social trauma brought about by the disaster and its aftermath bore normative affinity with the ethical premises of the nonproliferation norm embedded in the NPT, resulting in a *normative match*. Rather, leaders like foreign minister Kravchanka and Savet Speaker Shushkevich were themselves vocal proponents of denuclearization and promoters of the nonproliferation norm domestically.

In fact, prior to its independence, the challenge for Belarus was how to adopt the norm and accede to the NPT despite the strategic constraints, such as being a constituent republic of a nuclear-weapons state. Moreover, the image of Belarus as a “hostage” of nuclear competition between the superpowers bore striking resemblance to the international nonproliferation and disarmament discourses worldwide, including those of the Non-Aligned Movement during the Cold War. There is no evidence that Kravchanka, who was not a career diplomat, or other proponents of this narrative in Belarus in the early 1990s had been socialized through any kind of sustained interaction or social influence into these discourses. Rather, their stance on nonnuclear neutrality within a nuclear-free zone was almost entirely homegrown and based on their understanding of Belarus’s 20<sup>th</sup> century history and the emerging vision of its future. Yet the *normative match* obtained in Belarus not only because in relative terms, Belarus was more profoundly affected by Chernobyl than Ukraine, which it was, but also due to the institutional

and political continuity between its pre-independence and post-independence interests and policies and the weakness of voices that could have disrupted this continuity.

On the other hand, constitutive mechanisms of the NPT in Belarusian nuclear discourse are difficult to detect because no contestation of its norms or its grammar occurred. Belarus posed no opposition to the international expectation that it should disarm and join the NPT and made no controversial claims that contradicted its prescriptions. On the opposite, for Belarus as a fledgling sovereign, participating in a prominent international treaty such as the NPT was in and of itself a matter of sovereignty-construction and international prestige. Thus, neither the disciplining function of the *normative grammar* of the NPT, nor the *allocation of burden of proof* and justification for non-conformity with NPT prescriptions, nor the *legitimation* of coercive enforcement by outside powers was necessary in the Belarusian case.

Indeed, while in Ukraine the dilemma was framed in terms of how to deliver on the commitment to denuclearize despite security threat from Russia, Belarus's dilemma became how to maintain close ties with Russia despite denuclearization. Overall, compared to other non-Russian Soviet successor states, Belarus followed a smooth and uncontentious accession path to the NPT. Counterintuitively, however, the role of the NPT itself was more modest in Belarus than in either Ukraine or Kazakhstan: given the normative match which had mostly domestic roots and the lack of nuclear-related contestation, the NPT was simply not put to the test in the Belarusian context.

## Chapter Five. Kazakhstan: The Art of the Possible

“Surviving meant learning to live by Moscow rules. So [Kazakhstan’s] philosophical nomads became obedient communists while upholding their traditions as proud nationalists. No one played these ambivalent roles more skillfully than Nursultan Nazarbayev.”

Jonathan Aitken<sup>816</sup>

“An orphan of communism, Kazakhstan has fabulous natural wealth and a people who are plunging into poverty.”

William Courtney, US Ambassador to Kazakhstan (1992-1994)<sup>817</sup>

### Introduction

When Kazakhstan declared its independence on December 16, 1991 it became one of the three non-Russian successor states, along with Ukraine and Belarus to inherit Soviet strategic nuclear weapons. With 104 SS-18 ICBMs armed with 10 missiles each and 40 TU-95MS “Bear-H” strategic bombers armed with some 370 ALCM, Kazakhstan overnight became home to world’s fourth largest nuclear arsenal.<sup>818</sup> The state also possessed some key elements of the Soviet nuclear program, including uranium mining and fuel fabrication. Uniquely among other non-Russian republics, Kazakhstan was home to some six test sites, among them the main Soviet nuclear test site at Semipalatinsk.

Over the following three years Kazakhstan would negotiate the fate of its nuclear inheritance concomitantly with its newly found role as a sovereign in the international system, a role Kazakhstan did not exactly seek. Under the leadership of Nursultan Nazarbayev, who since his ascent to the top position in Kazakhstan in 1989 proceeded to deftly concentrate much of political power in his hands, Kazakhstan was keen to remain part of the renewed and reformed Soviet Union. When despite Nazarbayev’s best efforts to keep it alive, the Soviet Union finally

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<sup>816</sup> Jonathan Aitken, *Nazarbayev and the Making of Kazakhstan* (London: Continuum, 2009), 2.

<sup>817</sup> “Cable from American Embassy Alma Ata, ‘Kazakhstan on the Eve of Nazarbayev’s Visit to America,’” May 15, 1992, Document No. C05702944, National Security Archive, <http://nsarchive.gwu.edu/NunnLugar/2015/17.%201992-05-15%20Kazakhstan%20on%20the%20Eve%20of%20Nazarbayev's%20Visit%20to%20America.pdf>.

<sup>818</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 5–6.

collapsed leaving Kazakhstan independent by default, the question of nuclear weapons on its territory became the paramount foreign political challenge.

Like Ukraine and Belarus, Kazakhstan was no stranger to an anti-nuclear discourse: in the late 1980s a prominent anti-nuclear movement developed in response to the damage done by the decades of nuclear testing at the Semipalatinsk nuclear test. Yet unlike in Ukraine and Belarus where a similar Chernobyl-inspired sentiment contributed to the formulation of a commitment to denuclearize prior to proclaiming independence, Kazakhstan entered independent statehood without any recorded stance on nuclear weapons. Furthermore, confronted with an unwelcome reality of Soviet demise, in the first few months of its independence Kazakhstan developed an assertive claim to a 'temporary' nuclear status and reluctance to transfer the nuclear weapons from its territory.

Kazakhstan's demands echoed many of those put forth by Ukraine and included opposition to the Russian monopoly on nuclear arms in the former Soviet space, as well as demands for security guarantees and financial compensation in exchange for surrendering them. Yet in a stark contrast to Ukraine's nuclear discourse, which was constitutive of its drive to attain and secure its independence from Moscow, Kazakhstan nuclear claims were constitutive of its efforts to maintain a common security space within the former Soviet Union and a strategic partnership with Russia. Kazakhstan eventually abandoned its nuclear assertiveness and proceeded consistently, if cautiously, toward nuclear disarmament, while carefully cultivating its relations with the West and with Russia.

When negotiating their place and role as new sovereigns in international system and confronting the new geopolitical realities, newly independent states drew on their respective interpretations of the common Soviet past from which they just emerged. Kazakh past held much proud history but also the experience of adjusting to domination by a stronger and more advanced neighbor: Russia. Like much of Ukraine and Belarus, Kazakhstan had been a Russian imperial

colony with little exposure to self-rule prior to its incorporation into the Soviet Union. The great expanses of the Eurasian steppe and southern Siberia supported the traditional pastoral nomadic lifestyle of the Kazakhs, who were organized in extended kinship units, clans, tribes and hordes, and combined their traditional cultural and religious practices with Sunni Islam.<sup>819</sup>

The Russian colonization of the steppe which began in mid-18<sup>th</sup> century came with the arrival of millions of Russian and other European settlers, who encroached on Kazakh pasturelands, and imperial land policies that strove to regulate Kazakh seasonal migration routes and to convert them to sedentary, agricultural lifestyle.<sup>820</sup> All this ultimately precipitated the collapse of Kazakh pastoral livestock-breeding economy and nomadic lifestyle.<sup>821</sup> Moreover, because the Kazakhs had been a nomadic culture that built no permanent settlements, most Kazakhstani cities, particularly in the north and west were established in the early 18<sup>th</sup> century as Russian colonial foreposts and Cossack forts. This would later give rise to claims by the decedents of these Russian settlers to be the indigenous inhabitants of northern Kazakhstan.<sup>822</sup>

In late 19<sup>th</sup>-early 20<sup>th</sup> century, a small Kazakh elite challenging Russian rule on nationalistic and also pan-Turkic and pan-Islamic grounds would emerge from the decedents of the Kazakh aristocracy. In October 1917, this elite forged an autonomous government, the *Alash Orda*, with Semipalatinsk as a capital.<sup>823</sup> Yet most Kazakh nationalists were apprehensive of full political independence, and imagined a Kazakh national autonomy within a federated and democratic Russia.<sup>824</sup> The Alash Orda was unsuccessful in sustaining its rule and was eventually overtaken by the Bolsheviks who, in 1920 formed the Kazakh Autonomous Soviet Socialist Republic with

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<sup>819</sup> Martha Brill Olcott, *The Kazakhs* (Stanford, CA: Hoover Institution Press, 1995), 10–11.

<sup>820</sup> Ibid., 59, 89–90.

<sup>821</sup> Ibid., 78–80.

<sup>822</sup> Ibid., 30. Russian Cossack regiments were used by the Russian imperial crown as the vanguard of colonial expansion and conquest in North Caucasus, Central Asian steppe and Siberia in 18<sup>th</sup>-19<sup>th</sup> centuries.

<sup>823</sup> Ibid., 139–140.

<sup>824</sup> Ibid., 135.

the capital in a southern city of Alma-Ata (formerly, a Russian colonial outpost Verniy, and later Almaty), and in 1925 incorporated Kazakhstan as a constituent republic of the Soviet Union.<sup>825</sup>

Like many peoples under the Soviet rule, the Kazakhs suffered terribly during the Stalinist period. Between 1917 and 1935, Kazakhstan lost close to 3 million people or 70% of its population due to emigration, collectivization-induced famine and political persecution.<sup>826</sup> This staggering loss of life was proportionally greater in Kazakhstan than anywhere else in the Soviet Union and all but decapitated the nation, as the few educated Kazakhs with any association to Alash Orda, as well as many of the early Kazakh Bolsheviks fell prey to Stalin's purges.<sup>827</sup>

The experience of WWII, however, was markedly different in Kazakhstan than it had been in Ukraine and Belarus. While the republic became an important source of manpower and agricultural produce for the front, Kazakh territory remained unoccupied by Nazi Germany and became a destination for evacuees from the European part of the Soviet Union.<sup>828</sup> Importantly, Kazakhstan became a destination for many factories and their professional staff evacuated from the Nazi-occupied areas of the USSR, in effect industrializing its agricultural economy.<sup>829</sup>

The Soviet policies of industrialization and Virgin Lands, as well as deportation to Kazakhstan of political prisoners and sometimes whole ethnicities during and after WWII brought into Kazakhstan a significant number of Russian and Russian-speaking settlers, mostly Slavs. Thus, as Kazakhstan was unsuspectingly approaching its independent statehood, ethnic Kazakhs found themselves a minority in their namesake republic, constituting only 40% of the population, while Russians accounted for some 37% and other Russian-speaking Slavs - 5%, with the remainder

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<sup>825</sup> Ibid., 155–6. In 1993, *Alma-Ata* (meaning Father Apple in Kazakh) was renamed to *Almaty*, which is closer phonetically to the Kazakh pronunciation. In order to avoid confusion, I will use only the designation *Almaty* throughout this dissertation. In 1998, the capital of Kazakhstan was moved to the city of Astana in northern Kazakhstan.

<sup>826</sup> Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," in *Patterns in Post-Soviet Leadership*, ed. Timothy J. Colton and Robert C. Tucker (Boulder, CO: Westview Press, 1995), 170.

<sup>827</sup> Olcott, *The Kazakhs*, 185, 194.

<sup>828</sup> Ibid., 189.

<sup>829</sup> Ibid., 190.

comprising of some 100 nationalities.<sup>830</sup> Like in Ukraine, these Russian and Russian-speaking populations were concentrated in heavily industrialized areas, in Kazakhstan's case in eastern and northern regions adjacent to the Russian border.

The loss of traditional nomadic lifestyle and social structures, great demographic shifts together with Moscow's cultural policies led to a deep decline of the Kazakh language and cultural identity. When in late 1980s *perestroika* and *glasnost* liberalized the public sphere, these grievances became the focus of public discourse and nationalist movements. Another grievance brewing in the republic was Kazakhstan's perceived status as a resource colony, mined by Moscow for its rich deposits of ores, minerals, oil and gas, that were then exported abroad for hard currency, of which Kazakhstan saw little.

These themes were present not only in the incipient nationalist movements but also among the ethnic Kazakhs in the republic's communist establishment. Indeed, it had become a staple of politics in the Soviet period for the Kazakh communists to wrest greater say in decisions pertaining to the fate of their republic from Moscow.<sup>831</sup> Moreover, Kazakh nationalism was never tainted by association with Nazi collaborationism, as it was in Ukraine and Belarus and thus ethnic Kazakh communists were able to retain a distinct nationalist or at least a strong regionalist agenda.

The complex inter-ethnic and center-republic tensions came dramatically to the fore in 1986, when Denmukhamed Kunaev, an ethnic Kazakh, who served as the first secretary of Kazakhstan's communist party for almost four decades, was finally forced to resign as part of the party shakeup initiated by the reformist General Secretary Mikhail Gorbachev. After Moscow replaced him with Gennadiy Korbin, an ethnic Russian with no connection to Kazakhstan, a

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<sup>830</sup> Sally N. Cummings, *Kazakhstan. Power and the Elite* (London: I.B. Tauris, 2005), 2; Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," 175.

<sup>831</sup> Olcott, *The Kazakhs*, 213.



wave of popular demonstrations engulfed a number of Kazakh cities.<sup>832</sup> Almaty became the site of most dramatic events where, on December 16-18, 1986, thousands of protesters, mostly university students, took to the streets. The protests turned violent and were harshly dispersed by the law enforcement agencies with thousands of protesters detained, hundreds injured and 3 people killed.<sup>833</sup> It remains disputed to what degree the “December events” in Almaty, or *Zheltoksan* (“December” in Kazakh), as these protests became known, were a show of Kazakh nationalism, or anger at Moscow’s disregard for the concerns of the republics, yet they undoubtedly contained an ethnic element.

The ability of the Kazakh communist elites throughout the Soviet period and especially during perestroika to retain a reputation as Kazakh patriots standing up to Moscow helped them weather the storm that was shaking up communist establishments across the Union, and remain essentially unscathed at the helm of the republic during the transition to independence and ‘democracy.’ The Kazakh communist elites were able to successfully navigate a potentially explosive situation highlighted by *Zheltoksan*, where the national feeling of ethnic Kazakhs was on the rise in a country where they were both the titular nation and a minority. In this context, the incumbent elites suited both ethnic Kazakhs due to their pursuit of a republican agenda vis-à-vis Moscow, and Russian-speakers due to their ties with the old regime.

While a number of popular oppositional nationalist movements began to ferment following the December events, they were closely monitored and not allowed to consolidate until after the first multiparty elections in March 1990. In other Soviet republics, these elections would give political representation to oppositional nationalist and democratic forces that would labor to further subvert the Soviet Center. In Ukraine, they brought a vocal national-democratic minority to the parliament, a political force that would play an important role in Ukraine’s nuclear discourse. Yet Kazakhstan in 1990 overwhelmingly reelected its existing political elites, only

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<sup>832</sup> Martha Brill Olcott, “Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan,” 170.

<sup>833</sup> Olcott, *The Kazakhs*, 252.

somewhat shifting the balance in favor of ethnic Kazakhs.<sup>834</sup> It would be these former Soviet ethnic Kazakh elites that would see through Kazakhstan's last days as a Soviet republic, reckon the meaning of Kazakhstan's independent statehood which they did not seek, and negotiate the fate of the nuclear inheritance into which Kazakhstan inadvertently came.

### **Enter Nazarbayev**

In Kazakhstan's nuclear story, as in the story of its political life from late Soviet period and to present day one person in particular made a disproportionate mark: the country's first and only president Nursultan Nazarbayev. The story of Nazarbayev is that of a remarkable success and political dexterity. A son of a shepherd trained as a steelworker, Nazarbayev, owing to his driving ambition, self-confidence and perseverance, rose quickly through the ranks of Komsomol and the Communist party, and by the age of 40 was responsible for industry and economy with the republican government.<sup>835</sup> Soon, Nazarbayev became the head of the Council of Ministers of Kazakhstan, and, after the embattled Korbins was removed in 1989, the First Secretary of the Communist Party of Kazakhstan and also the chairman of the republic's legislature, the Verkhovniy Sovet. Nazarbayev proceeded to deftly consolidate his power over the party, the executive and the legislative branches.

Following the pattern of political restructuring in Moscow, the Supreme Soviet under Nazarbayev's leadership introduced in March 1990 the institution of presidency and, naturally, elected Nazarbayev as the republic's first president.<sup>836</sup> Nazarbayev became one of Gorbachev's close allies in implementing perestroika as the two young leaders shared a commitment to reform the inefficient and ailing economy as well as shake up the cumbersome party-political system. For Nazarbayev it meant decentralization of the Union to allow greater economic autonomy for

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<sup>834</sup> Ibid., 263–4.

<sup>835</sup> Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," 169.

<sup>836</sup> Ibid., 170. Later, on December 1, 1991, Nazarbayev, as a single candidate on the ballot, was confirmed in his presidential position by an overwhelming majority (98.8%) in a popular referendum.

his republic, yet he repeatedly stated that full independence of the republics was undesirable.<sup>837</sup> Nazarbayev's tenure running the republican economy as the head of the republican Council of Ministers seemed to have firmed his conviction that despite the deficiencies of the Soviet Union, the economies of the republics were too tightly interconnected to make their full independence possible.<sup>838</sup>

In addition, Nazarbayev's stellar success in the Soviet system and his close relationship with Gorbachev set him up well for a prominent position in the new and reformed Union.<sup>839</sup> Nazarbayev was also a valuable asset for Gorbachev: his focus on removing the system's faults and inefficiencies while managing the multiethnic republic without nationalistic conflagrations, was a welcome example and even a model for the new Union itself. Nazarbayev's good relations with Moscow also helped solidify Kazakhstan's position as a regional leader among Central Asian republics.<sup>840</sup> Thus, a reformed Union, which allowed greater economic autonomy for the republics yet still provided security and international political weight, was Nazarbayev's most desirable option of Soviet development possible.

Meanwhile, by late 1980s, with both Kazakh and Russian nationalist forces in Kazakhstan on the rise, Nazarbayev also found himself having to cautiously navigate through potentially explosive ethnic issues.<sup>841</sup> Nazarbayev had always been openly proud of his Kazakh ethnic and cultural heritage yet his support for any sort of ethno-centric Kazakh nationalism would have endangered not only his own political position but also threatened ethnic conflict inside the republic of the kind that was already erupting elsewhere in the Soviet Union.<sup>842</sup> Like in many other Soviet republics during perestroika, Kazakhs embarked upon inquiry into the previously forbidden pages of their history, many of which portrayed Russia in an unfavorable light.

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<sup>837</sup> Ibid., 173.

<sup>838</sup> Olcott, *The Kazakhs*, 265.

<sup>839</sup> Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," 174.

<sup>840</sup> Olcott, *The Kazakhs*, 265.

<sup>841</sup> Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," 176.

<sup>842</sup> Ibid., 170.

Nazarbayev closely monitored this process of historical rediscovery, as well as the revival of Islamic organizations in the republic, to make sure both historical and religious narratives remained moderate.<sup>843</sup> Thus, it was during these last turbulent years of the Soviet Union that Nazarbayev began to show his remarkable knack for political pragmatism: what he could not defeat, or prevent, he learned to co-opt and, by sanctioning it, establish patronage over. He continued to emphasize the civic Kazakhstani [*Kazakhstanets*] identity, while making modest concession to pressures to revive ethnic Kazakh cultural identity, which had been hollowed out by the Soviet cultural policies.<sup>844</sup>

### **Semipalatinsk and the anti-nuclear movement**

As part of Soviet industrialization effort Kazakhstan was integrated into the Soviet military-industrial complex and endowed with a string of unique military-strategic objects, to which the great wastes of the Kazakh steppe lent themselves. These included Soviet Union's only spaceport at Baikonur and its main nuclear test site at Semipalatinsk. The test site at Semipalatinsk was set up in August 1947 by the decree of the Soviet Council of Ministers and Central Committee of the Communist Party, and designated as "Object 905" of the Ministry of Defense of the USSR.<sup>845</sup> The location chosen was the rural area in northeastern Kazakhstan, some 160 km from the city of Semipalatinsk, an oblast center with the population of over 100,000.<sup>846</sup> Two years later, on August 29, 1949, Semipalatinsk became the site of Soviet Union's first open air nuclear test. From that time until 1989 some 456 nuclear test had been conducted at Semipalatinsk, including 116 above ground tests, among them the explosion of a hydrogen

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<sup>843</sup> Olcott, *The Kazakhs*, 260–1.

<sup>844</sup> Martha Brill Olcott, "Nursultan Nazarbaev and the Balancing Act of State Building in Kazakhstan," 177; Sally N. Cummings, "Eurasian Bridge or Murky Waters between East and West? Ideas, Identity and Output in Kazakhstan's Foreign Policy," *Journal of Communist Studies and Transition Politics* 19, no. 3 (2003): 150.

<sup>845</sup> Vladimir Shepel, ed., *Kazakhstan Za Bez'ядernyi Mir. Sbornik Dokumentov I Materialov* [*Kazakhstan for Nuclear-Free World. Compilation of Documents and Materials*] (Almaty: Archive of the President of the Republic of Kazakhstan, 2011), 3.

<sup>846</sup> Ibid.

bomb in 1955.<sup>847</sup> All of this activity was shrouded in secrecy and, in a typically Soviet fashion, devoid of regard for the well-being of the local population, whose health and livelihoods had been adversely affected by the radiation emissions, soil and ground water contamination.

By late 1980s, Semipalatinsk became a site of great ecological and humanitarian degradation and a focus of growing discontent among local populations and elites, and finally the republican authorities as well. At the same time, the atmosphere of liberalization and the increased freedom of speech made it more difficult to keep the adverse consequences of nuclear testing under the lid of secrecy and indifference. Complaints and requests of medical assistance from the local inhabitants and local party leaders were becoming more audible, yet Moscow did not react. In a sense, Semipalatinsk became Kazakhstan's Chernobyl, and like Chernobyl, became the stimulus for an anti-nuclear advocacy movement. More than that, while in Ukraine and Belarus the nuclear catastrophe emanated from the civilian nuclear energy, in Kazakhstan it directly related to the Soviet nuclear weapons program.

In February 1989, during a scheduled test, a plume of radioactive materials escaped into the atmosphere.<sup>848</sup> This gave impetus to the creation the same month of an advocacy movement named "Nevada-Semipalatinsk" protesting nuclear tests, led by a well-known Kazakhstani poet and a head of Kazakhstan's Writer's Union Olzhas Suleimenov. The movement managed to gather over 2 million signatures from both Kazakhs and Russians in support of its petition to Gorbachev to end nuclear testing in Kazakhstan.<sup>849</sup>

Suleimenov's anti-nuclear movement enjoyed not only popular support but also the auspices of the republican government. Kazakh political landscape continued to show a high degree of ideological conformity throughout the late 1980s and the harsh crackdown on December 1986

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<sup>847</sup> Ibid., 4. Above-ground tests ceased following the signature by the Soviet Union in 1963 of the Partial Test Ban Treaty (PTBT)

<sup>848</sup> Ibid., 6.

<sup>849</sup> Olcott, *The Kazakhs*, 257.

protests demonstrated the fate of movements that were not sanctioned by the establishment.<sup>850</sup> While Suleimenov, whose father was a victim of Stalin's repressions, emerged as an outspoken campaigner for cultural and linguistic rights of the Kazakhs, he was nevertheless a product and a part of the establishment: a former protégé of Kunaev and loyal member of the Kazakh communist party.<sup>851</sup> He was an exemplary figure of the type of Kazakh left-wing nationally conscious elite, which advocated for greater cultural and economic autonomy from the Center, but imagined it within a multicultural political structure of a Moscow-led Union.

While the Nevada-Semipalatinsk movement was certainly a mark of a liberalizing political atmosphere in the Soviet Union, its scope and reach would have been hardly possible without the support of the incumbent republican leadership. Moreover, with the emergence of popular movements with nationalist agendas across the Soviet Union and also in Kazakhstan, the cross-ethnic, humanitarian appeal of Nevada-Semipalatinsk made it a favored candidate for official sponsorship.<sup>852</sup> Thus, in contrast to Ukraine and Belarus where Chernobyl-inspired anti-nuclear activism was associated with the pro-independence national-democratic forces, or "eco-nationalist" movements as Jane Dawson terms them, the Nevada-Semipalatinsk movement in Kazakhstan was closely connected to the republican establishment and retained an overwhelming civic and humanitarian character.<sup>853</sup>

Kazakhstan's leadership realized that in requesting the cessation of nuclear testing at Semipalatinsk, they were treading a delicate line. Although Semipalatinsk was not the only nuclear test site in the Soviet Union, it was its first and primary test site and perhaps the single most important military-strategic objects in Moscow's purview besides the Baikonur spaceport. So the argument for the closure of Semipalatinsk had to appeal to a broader rationale of superpower relations and disarmament, not just to particularistic interests of Kazakhstan.

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<sup>850</sup> Ibid.

<sup>851</sup> Ibid., 256.

<sup>852</sup> Ibid., 262.

<sup>853</sup> Dawson, *Eco-Nationalism: Anti-Nuclear Activism and National Identity in Russia, Lithuania, and Ukraine*.

Indeed, Suleimenov's initial focus had been on the failure of the US government to reciprocate on Gorbachev's unilateral moratorium on Soviet nuclear testing. In an eloquent and emotional address to the government and people of the US introducing his organization and cause, Suleimenov wrote:

How many happy hopes the peoples of the world associated with the brave and wise decision on unilateral moratorium on nuclear testing announced in 1986 by the General Secretary... Gorbachev. How much did we want to believe that the new political thinking born by the Perestroika, would also take hold of the minds of political leaders of the states-participants in the tragic nuclear race!... But [in return] we heard only the heavy echo of the explosion in Nevada.<sup>854</sup>

Suleimenov further explained that Kazakhstan's activists decided to name their movement "Nevada" as a symbolic message that the cessation of nuclear testing was a goal that could only be achieved jointly with the Americans.<sup>855</sup> 'Semipalatinsk' appeared in the name at a later date. Yet since Moscow was directly responsible for scheduling and conducting nuclear tests at Semipalatinsk, Kazakhstani leaders inevitably turned from addressing Washington to lobbying Moscow to suspend testing and eventually close down the test site.

In June 1989, Suleimenov, who represented Semipalatinsk region at the Congress of Peoples Deputies of the USSR, addressed the Congress with a speech, in which he decried the ecological and health hazards that had befallen the people of Kazakhstan as a result of nuclear testing. He proceeded to argue for the cessation of testing at Semipalatinsk in the context of evolving superpower rapprochement:

The world is changing. We have fewer enemies in the West and in the East and this means less spending on defense. Soviet and world arsenals are overfilled, nuclear shields of the superpowers grew to colossal sizes and are capable of destroying those who they are meant to protect. The statement of Mikhail

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<sup>854</sup> "Obrashchenie O. Suleimenova K Pravitel'stvu SShA, Amerikanskomu Narodu, Ko Vsem Pravitel'stvam I Narodam Mira [Address O. Suleimenova to the Government of the USA, American People and to All Governments and Peoples of the World]," 1989, Fond 708, Opis 139, Delo 2190, List 12-14, Archive of the President of the Republic of Kazakhstan.

<sup>855</sup> Ibid.

Sergeevich Gorbachev in London's Guildhall about the halt of production of fissile material, increased our hopes for a nuclear-free XXI c[entury]...<sup>856</sup>

Despite the increased popular discontent and the activity of Suleimenov's organization, another nuclear test was conducted on October 19, 1989, which would turn out to be Kazakhstan's last.<sup>857</sup> Yet at the time nobody could predict that: the Soviet military had another two or three tests in the pipeline, in preparation for which a number of nuclear warheads were placed in the underground shafts at Semipalatinsk in May 1991. Nazarbayev supported the efforts to close down Semipalatinsk and used his close relationship with Gorbachev to push the issue in Moscow where it predictably encountered a pushback from the military-industrial bosses. The deputy chairman of the Soviet Council of Ministers, I. Belousov who had a reputation of a 'hawk,' prepared a proposal to halt nuclear testing by 1993, a timing that was deemed unacceptable to the Kazakh authorities who thought it should be immediate.<sup>858</sup>

The dispute over Semipalatinsk continued, until the August 1991 coup and the defeat of the hardliners – who pushed back on Semipalatinsk's closure – presented an auspicious moment for Nazarbayev to assert his authority on the issue. On August 29, 1991, the date marking 42<sup>nd</sup> anniversary of the first Soviet nuclear test conducted at Semipalatinsk, the President issued a decree closing the test site.<sup>859</sup> With a careful wording that aimed to show consideration of all-Union interests, the decree claimed that Kazakhstan's duty to contribute to the Soviet nuclear

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<sup>856</sup> "Iz Vystuplenia Deputata O.O. Suleimenova Na S'ezde Narodnykh Deputatov SSSR. Moskva. 9 Iunia 1989 G. [Excerpts from the Speech of O.O. Suleimenov at the Congress of People's Deputies of the USSR. Moscow. June 9, 1989]," *Kazakhstanskaya Pravda*, June 10, 1989 in ; Shepel, *Kazakhstan Za Bez'iadernyi Mir. Sbornik Documentov I Materialov* [Kazakhstan for Nuclear-Free World. Compilation of Documents and Materials], 89–90.

<sup>857</sup> Nursultan Nazarbayev, *My Life, My Time and the Future...*, trans. Peter Conradi (Northamptonshire: Pilkington Press Ltd, 1998), 142; Murat Laumulin, "Political Aspects of Kazakhstan's Nuclear Policies," *The Nonproliferation Review* 3, no. 1 (Fall 1995): 86.

<sup>858</sup> "Pis'mo Zamestitelia Predsedatelia Soveta Ministrov SSSR I.A. Belousova Pervomu Sekretariu TsK KP Kazakhstana N.A. Nazarbayevu O Proekte Postanovlenia Soveta Ministrov SSSR 'O Meropriiatiakh, Sviazannykh c Provedeniiem Podzemnykh Iadernykh Ispytaniiy' [Letter of the Deputy Chairman of the Council of Ministers of the USSR I.A. Belousov to First Secretary of the CC of the CP of Kazakhstan N.A. Nazarbayev Regarding the Draft Resolution of the Council of Ministers of the USSR 'On Measures in Connection to Conducting Underground Nuclear Tests,'" April 13, 1990, Fond 708, Opis 139, Delo 2318, List 5, Archive of the President of the Republic of Kazakhstan.

<sup>859</sup> President of the Republic of Kazakhstan, "Ukaz 'O Zakrytii Semipalatinskogo Ispytatel'nogo Iadernogo Poligona' [Decree on the Closure of the Semipalatinsk Nuclear Test Site]," August 29, 1991, Fond 7, Opis 1, Delo 172, List 81-82, Archive of the President of the Republic of Kazakhstan.



potential that established nuclear parity with the US had been fulfilled.<sup>860</sup> After the closure of the test site, Kazakhstan intended to coordinate with Union ministries in creating a research center at the site.<sup>861</sup>

Yet despite its considerate and conciliatory tone, the political significance of Nazarbayev's decree was great. Beyond the obvious ramifications for the Soviet nuclear program and arms control, Kazakhstan as a constituent republic was making a decision on a sensitive strategic issue that had hereto been Moscow's to decide. Given Nazarbayev's commitment to the Union and his relationship with Gorbachev, it is doubtful that he would have made the move on Semipalatinsk without the tacit support of Gorbachev. Either way, Nazarbayev's caution soon became moot as the Soviet authorities he was careful not to upset with the closure of Semipalatinsk would soon cease to exist. Although Nevada-Semipalatinsk continued to operate as a non-government organization and organize meetings and conferences, its political role as a voice in a nuclear-related discourse waned with the closure of Semipalatinsk.

### **Sovereignty, Independence and the (Absence of) Nuclear Stance**

Kazakhstan was not immune to the processes of national and political revival that was shaking most other Soviet republics in late 1980s-early 1990s. A number of political parties and movements that advocated not only for greater economic and cultural autonomy from the Center but also for full independence for Kazakhstan emerged at that time. They included nationalist party *Alash*, whose stance incorporated pan-Turkic and Islamic elements; *Zheltoksan* that gathered veterans of the December events; and Azat (Freedom) led by Kazakhstan's former minister of Foreign Affairs Mikhail Isinaliyev that advocated sovereignty and cultural rights of the Kazakhs but regarded favorably Kazakhstan's participation in a union of independent

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<sup>860</sup> Ibid.

<sup>861</sup> Ibid., Article 2.

republics.<sup>862</sup> Yet the apprehension of the rise of Russian nationalist and Cossack organizations in northern and western Kazakhstan, pushed Kazakh nationalist and other oppositional movements to lend their support to Nazarbayev as an ethnic Kazakh and someone capable of maintaining the territorial integrity of the republic.<sup>863</sup> With no voice in the parliament, the national-democratic movement remained politically marginal.

Thus, Nazarbayev-led Kazakhstan would only reluctantly follow the fellow Soviet republics along the road of sovereignty and independence. Nazarbayev remained a firm supporter of and an active participant in the negotiations of the new Union treaty, promoted by Gorbachev, which offered for Nazarbayev the best of both worlds: greater economic autonomy within a common political-strategic space. Nazarbayev appeared capable of negotiating just such economic autonomy and control over the republic's rich mineral resources from Moscow. In 1990 Chevron Oil approached the Soviet government about the development of Kazakhstan's Tengiz oil fields, which would bring billions of dollars of investment into the country. Nazarbayev demanded that the deal would be signed not with Moscow but directly with Almaty, a demand that was eventually satisfied in July 1991.<sup>864</sup>

As a result, Kazakhstan became next to last of the republics to join the parade of sovereignties that was rolling across the USSR.<sup>865</sup> Indeed, Kazakhstan's Declaration of Sovereignty adopted on October 25, 1990, made several references to the "Union of Sovereign Republics" which sovereign Kazakhstan would be a part of and delegate some of its sovereign powers to.<sup>866</sup> Although the Declaration designated Kazakhstan as a homeland of ethnic Kazakhs and

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<sup>862</sup> Yuriy Bulukhtayev, *Partiino-Politicheskoe Stroitel'stvo v Respublike Kazakhstan (1991-2012 Gg.). Kniga 1. Statovleniie Mnogopartiinosti. 1990-e gg.* [Establishment of Political Parties in the Republic of Kazakhstan (1991-2012). Book 1. Emergence of Multiparty System. 1990s. (Almaty: Kazakhstani Institute of Strategic Research of the President of Kazakhstan, 2012), 21–2.

<sup>863</sup> Olcott, *The Kazakhs*, 267.

<sup>864</sup> Ibid.

<sup>865</sup> The last Soviet republic to pass a declaration of sovereignty was Kyrgyzstan.

<sup>866</sup> Verkhovnyi Sovet of the Kazakh Soviet Socialist Republic, *Deklaratsiia O Gosudarsvennom Suverenitete Respubliki Kazakhstan* [Declaration of State Sovereignty of the Republic of Kazakhstan], October 25, 1990, [http://adilet.zan.kz/rus/docs/B900001700\\_](http://adilet.zan.kz/rus/docs/B900001700_).

emphasized the revival of Kazakh language and culture, it expressly addressed cultural rights of other ethnicities living in Kazakhstan and emphasized the multi-ethnic, multi-cultural character of the Kazakhstani nation.<sup>867</sup>

On the important and controversial issue of independent armed forces, the Declaration merely stipulated that the republic had a right to its own “internal armed forces, structures of state security and internal affairs.”<sup>868</sup> Additionally, the republic claimed the right to determine – “with the consent of the Union government” – the terms of military service for its citizens, as well as the questions of deployment of military units and armaments of its territory.<sup>869</sup> This mild wording stood in stark contrast to the assertive tone of provisions to form an independent army in the Ukrainian declaration. Importantly, as opposed to Ukraine and Belarus, who declared their intentions to become nonnuclear non-allied states, Kazakhstan had only addressed the sore issue of nuclear testing, stating that testing of nuclear weapons, as well as other weapons of mass destruction would be prohibited on the territory of the republic.<sup>870</sup>

Why was it that the three republics adversely affected by the Soviet nuclear policies and having developed popular anti-nuclear discourses, treated the nuclear issue differently in their declarations of sovereignty? This divergence and its sources are most striking between Ukraine and Kazakhstan. Ukraine was renouncing nuclear weapons in the declaration not only, and perhaps not even primarily, due to the anti-nuclear sentiment sparked by the Chernobyl disaster. Its renunciation had to do with the desire of Ukraine’s national-democrats, who played an active role in shaping and passing the declaration, to remove the country from the military strategic space controlled by Moscow in order to attain full independence from it. Kazakhstan, despite objections to nuclear testing on its territory, saw itself firmly embedded in the common Soviet security space. Hence, the Kazakh declaration made no mention of the independent army, an

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<sup>867</sup> In Preamble, Article 2, 5 and 12. Ibid.

<sup>868</sup> Article 13, paragraph 1. Ibid.

<sup>869</sup> Article 13, paragraph 2. Ibid.

<sup>870</sup> Article 11, paragraph 2. Ibid.

issue that managed to spark heated debate and in the end to surmount formidable opposition in both Ukraine and Belarus.

While the maintenance of the common strategic space with other Soviet republics had also been the desire of many in the Belarusian political elites as well, it competed with and was constrained by the idea of Belarusian neutrality that was advocated by Belarus's national-democratic opposition and nationally conscious former communists. Belarusian leaders, when working on the declaration, were also influenced by its Ukrainian counterpart, as well as the Russian, while for Kazakhstan, the Russian declarations would have been the guiding document, and it made no mention of things nuclear or the breakup of the single military into national armies.<sup>871</sup>

Finally, in 1990, the UN and the NPT process was a consideration for Ukraine and Belarus because they had been UN member states and maintained some representation with the UN within the Soviet mission. For Ukrainians, the increased activity within international organizations meant exercising their sovereignty declared in July 1990; for Belarusian – finding an international audience for their grievances about Chernobyl. As opposed to Ukraine and Belarus, Kazakhstan had no formal representation at the UN, very few direct contacts with the outside world and only a handful of ethnic Kazakh diplomats serving with Soviet diplomatic missions abroad.<sup>872</sup> In short, international institutions were simply not a venue Kazakhstan could even consider engaging in prior to 1992.

Thus, in 1990, when Ukraine and Belarus had declared their intentions to rid themselves of nuclear weapons and become neutral non-allied states, and even pursued membership in the NPT, each due to their own combination of reason, Kazakhstan made no claims about Soviet nuclear weapons at all and kept working on maintaining the common military strategic space within the Union. Indeed, Nazarbayev and the majority of the Kazakh political establishment

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<sup>871</sup> Verkhovnyi Sovet of the RSFSR, *Deklaratsiia O Gosudarstvennom Suverenitete Rossiiskoi Sovetskoi Federativnoi Sotsialisticheskoi Respubliki* [Declaration of State Sovereignty of the Russia Soviet Federative Socialist Republic], June 12, 1990, <http://constitution.garant.ru/act/base/10200087/>.

<sup>872</sup> Olcott, *The Kazakhs*, 275.

regarded the idea of the dissolution of the Soviet Union as both undesirable and unrealistic. Long after the collapse of the USSR, Nazarbayev remained convinced that had it not been for the unexpected coup of August 1991, the new Union treaty would have been signed and the Union would have survived.<sup>873</sup> When in the wake of the August 1991 coup, full republican independence of Kazakhstan suddenly became quite realistic, for Nazarbayev and his close entourage it nevertheless remained undesirable. Throughout the fall of 1991, Nazarbayev remained committed to the idea of the renewed Union to the very last and was behind postponing the vote on independence in the Kazakh parliament.<sup>874</sup>

Yet immediately after the August coup, the issue of nuclear weapons and their control came into sharp focus and Nazarbayev found himself having to address the question he had not considered hereto. As the prospect of Soviet dissolution was becoming increasingly real, Nazarbayev spoke firmly in favor of the military-strategic status quo. He advocated retaining the unified control over military-strategic affairs within a renewed Union and opposed any suggestions that Soviet nuclear weapons should end up in the hands of one single republic, meaning Russia.<sup>875</sup> Nazarbayev rejected the proposal of President Yeltsin made in September 1991 that all nuclear weapons from the non-Russian republic must be transferred to Russia, stating that since the nuclear weapons in Kazakhstan would remain under the control of the center, they were safe.<sup>876</sup>

The shift of power in Moscow from Gorbachev to Yeltsin following the coup, and the morphing of Union government agencies into Russian government agencies was a development that must have troubled Nazarbayev. Thus, the idea of a dual-key arrangement for the control of Soviet nuclear weapons was also floated around this time. In an interview in November 1991, Nazarbayev stated:

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<sup>873</sup> Nazarbayev, *My Life, My Time and the Future...*, 75.

<sup>874</sup> Serikbolsyn Abdildin, "Vlast' Ili Kak Ona Dostaiotsia [Power and How It Is Attained]," *Respublika*, December 18, 2013

<sup>875</sup> "Nazarbayev Confirms Nuclear Arms Stance," *"Vesti," Russian Television Network in FBIS-SOV-91-180*, September 16, 1991.

<sup>876</sup> Harumi Tokunaga, "Kazakhstan's Nazarbayev on Nuclear Control, Japan," *Asahi Shimbun in FBIS-SOV-91-191-A*, September 21, 1991.

Kazakhstan does not claim the role of a nuclear power either of the global or regional level. At the same time, it is not going to become a nuclear hostage of the center or Russia if it unilaterally proclaims itself as successor to the Union in the military field. The solution of the problem lies in establishing a double control over nuclear weapons.<sup>877</sup>

Meanwhile, Nazarbayev's energies were focused on saving the Union and its common security structures rather than buttressing independent military capability. Unlike Ukraine, which following the coup had already created its own defense ministry and was pushing hard to form its own national army, Kazakhstan undertook no such efforts. In October 1991, the head of the state committee on defense General Sagadat Nurbagambetov explicitly stated that Kazakhstan had no intention of creating its own armed forces, although it did plan to set up a national guard.<sup>878</sup>

Kazakhstan became the very last union republic to declare independence, already after the Belavezha Accord, signed by the leaders of the three Slavic republics on December 8, 1991, had declared that the Soviet Union "as a subject of international law and a geopolitical reality" had ceased to exist.<sup>879</sup> Kazakhstan's Law on Independence was passed on December 16, 1991, timed to coincide with the anniversary of Zheltoksan. As opposed to the Ukrainian declaration of independence passed immediately following the August 1991 coup, which amounted to a rushed and succinct endorsement of its earlier more substantive Declaration of Sovereignty, Kazakhstan's independence was established by a salient document bearing the weight of a constitutional law. Yet the only reference to nuclear matters was in the preamble of the law, avowing Kazakhstan's commitment to the "principles of nuclear nonproliferation."<sup>880</sup>

No doubt, this vague reference was a bow to the US concerns about nuclear proliferation which by that time were parlayed to Kazakhstan through a number of diplomatic channels. Yet, unlike

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<sup>877</sup> "Nazarbayev Comments in TRUD on Arms, Yeltsin," *TASS in FBIS-SOV-91-218*, November 9, 1991.

<sup>878</sup> "Defense Official on Joint Nuclear Control," *AFP in FBIS-SOV-91-208*, October 26, 1991.

<sup>879</sup> *Soglaseniye O Sozdanii Sodruzhestva Nezavisimikh Gosudarstv [Agreement On the Establishment of the Commonwealth of Independent States]*.

<sup>880</sup> Verkhovnyi Sovet of the Republic of Kazakhstan, *Konstitutsionnyi Zakon Respubliki Kazakhstan O Gosudarstvennoi Nezavisimosti Respubliki Kazakhstan [Constitutional Law of the Republic of Kazakhstan On State Independence of the Republic of Kazakhstan]*, December 16, 1991, [http://adilet.zan.kz/rus/docs/Z910004400\\_](http://adilet.zan.kz/rus/docs/Z910004400_).

Ukraine and Belarus, Kazakhstan entered its independent statehood without making any more specific commitments with regard to nuclear arms located on its territory. During the months that followed, the fate of these weapons would become part and parcel of Kazakhstan's approaches to negotiating the post-Soviet institutional and security settlement and would become the focus of much international anxieties and diplomatic contention.

On December 17, 1991, a day after Kazakhstan's vote for independence, US Secretary James Baker arrived in Almaty as part of his tour of all four nuclear successors to communicate the US stance that no new nuclear-armed states should emerge from the disintegration of the Soviet Union. Baker, who already visited Almaty in September 1991, formed a high opinion of Nazarbayev as an "extremely intelligent and capable" leader who knows how to get things done.<sup>881</sup> Yet despite, or perhaps because of the cordial relations with Baker, the December discussions left much ambiguity on the nuclear issue. On the one hand, Baker reported to have received assurances that Kazakhstan would denuclearize and join the NPT from Nazarbayev who in exchange requested US support for Kazakhstan's accession to the UN and CSCE.<sup>882</sup> Nazarbayev, for his part, had reported telling Baker that Kazakhstan would not stake claims to nuclear weapons, but would demand security guarantees in return.<sup>883</sup> Nazarbayev's public pronouncements went far beyond that, however. At a press conference following his meeting with Baker, Nazarbayev stated that Kazakhstan would remain a nuclear power as long as Russia does and voiced reservations about Yeltsin's recent proposal that Russia should inherit USSR's UN Security Council seat.<sup>884</sup> Instead, he maintained, the seat should go to the newly created Commonwealth of Independent States.<sup>885</sup>

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<sup>881</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 538.

<sup>882</sup> "Memorandum of Conversation between President Bush and President Yeltsin at Camp David," February 1, 1992, 8, National Security Archive, [http://nsarchive.gwu.edu/NunnLugar/2015/06.%201992-02-01%20Memorandum%20of%20Conversation%20between%20President%20Bush%20and%20President%20Yeltsin%20\[Excerpt\].pdf](http://nsarchive.gwu.edu/NunnLugar/2015/06.%201992-02-01%20Memorandum%20of%20Conversation%20between%20President%20Bush%20and%20President%20Yeltsin%20[Excerpt].pdf).

<sup>883</sup> Nazarbayev, *My Life, My Time and the Future...*, 146.

<sup>884</sup> David Hoffman, "Kazakhstan Keeping Nuclear Arms, Republic's President Tells Baker," *Washington Post*, December 18, 1991, <http://nsarchive.gwu.edu/NunnLugar/2015/03.%201991-12->

Such a strong statement with regard to nuclear arms must have been alarming to the US. However, at that point the main focus seem to have been on the preservation of a single control and command of the Soviet nuclear arms in Moscow. Moreover, Baker arrived in Almaty after meeting with President Yeltsin and Soviet Minister of Defense Yevgeniy Shaposhnikov, both of whom assured him that command and control over Soviet strategic arsenal was going to remain in Russian hands.<sup>886</sup> Nazarbayev's statements did not essentially challenge the idea of single nuclear control and further CIS arrangements would confirm it. Thus, Nazarbayev's statements about remaining a nuclear power did not prevent the US from granting Kazakhstan, along with Ukraine and Belarus, diplomatic recognition on December 25, 1991.

### **CIS as Union-Lite**

Nazarbayev became the first political leader to receive a phone call from Boris Yeltsin about the decisions to dissolve the Soviet Union and create the CIS signed by him, Ukraine's President Leonid Kravchuk and Speaker of Belarusian Parliament Stanislau Shushkevich on December 8, 1991 in Belarus. There are conflicting accounts about why Nazarbayev did not attend the meeting in Belavezha.<sup>887</sup> Whatever the reason, Nazarbayev was incensed, calling the meeting a "treaty of three" and maintaining that the dissolution of the Soviet Union should be decided by all constituent republics, not just the Slavic ones.<sup>888</sup> In response, he called a meeting of Central Asian republics in Ashkhabad, Turkmenistan, to create what appeared to be a countervailing regional block. Yet at the meeting, Central Asian leaders decided to join the CIS instead, albeit on the basis of a new document that would recognize them as founding members on par with

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18%20Washington%20Post%20Article%20by%20David%20Hoffman,%20Kazakhstan%20Keeping%20Nuclear%20Arms,%20Republic's%20President%20Tells%20Baker.pdf.

<sup>885</sup> "Nazarbayev on Nuclear Weapons," *Interfax in FBIS-SOV-91-243*, December 18, 1991.

<sup>886</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 572, 576. In his memoirs, Baker does not mention Nazarbayev's claims of Kazakhstan's nuclear status after the December 17 meeting.

<sup>887</sup> According to Nazarbayev's own account, he had just arrived to Moscow on December 8 for a meeting the following day with Gorbachev, Yeltsin, Kravchuk and Shushkevich to discuss the Union treaty, when he received a phone call from Yeltsin inviting him to come and add his signature to the document signed in Belavezha. After getting the summary of what had been signed, Nazarbayev refused. Nazarbayev, *My Life, My Time and the Future...*, 80-1.

<sup>888</sup> "Nazarbayev Surprised by 'Treaty of Three,'" *Interfax in FBIS-SOV-91-237*, December 9, 1991.



the three Slavic republics.<sup>889</sup> In the end, Nazarbayev regarded the division of the USSR into a Slavic and a Turko-Muslim block undesirable, as it would exacerbate the dangerous ethnic divisions within Kazakhstan itself.<sup>890</sup>

With his characteristic pragmatic style and ability to co-opt what he could not defy, once Nazarbayev realized that neither the old, nor a new Union could be salvaged, he undertook to become a prominent actor and an agenda-setter in the new post-Soviet institutional formation – the CIS. Thus, Kazakhstan hosted the next and probably the most important of the CIS founding meetings in Almaty on December 21, 1991, and signed, together with the rest of the former Soviet republics, less Georgia and the Baltic states, the Protocol to the Belavezha Accord whereby acceding to the Commonwealth as an equal party.<sup>891</sup> Over the next few months, Kazakhstan would labor to imbue the CIS with some of the features of the renewed Union that Nazarbayev so wanted to happen in 1991 but that had failed to materialize.

Importantly, the Almaty meeting reached an Agreement on Joint Measures on Nuclear Weapons signed by Russia and Ukraine, Belarus and Kazakhstan, in which the four nuclear republics committed to maintain a joint command over strategic forces and single control over nuclear weapons within the framework of the CIS.<sup>892</sup> Unlike Ukraine and Belarus, however, Kazakhstan continued to abstain from specific commitments beyond that. The clause committing Belarus, Kazakhstan and Ukraine to transfer tactical nuclear weapons to Russia by June 1992, was meaningless in relation to Kazakhstan since it had no tactical nuclear weapons on its territory.

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<sup>889</sup> Nazarbayev, *My Life, My Time and the Future...*, 82.

<sup>890</sup> Ibid., 82–3.

<sup>891</sup> “Protokol K Soglasheniiu O Sozdanii Sodruzhestva Nezavisimykh Gosudarstv, Podpisannomu 8 Dekabria 1992 v Minske Respublikoi Belarus, Rossiiskoi Federatsiiei (RSFSR), Ukrainoi [Protocol to the Agreement on Creation of the Commonwealth of Independent States Signed on December 8, 1992 in Minsk by the Republic of Belarus, the Russian Federation (RSFSR), and Ukraine],” December 21, 1991, Single Register of Legal Acts and Other Document of the Commonwealth of Independent States, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=6>. The eight states included Armenia, Azerbaijan, Moldova, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan. Georgia joined in December 1993.

<sup>892</sup> *Soglashenie o Sovmestnykh Merakh v Otnoshenii Iadernogo Oruzhiia*. [*Agreement On Joint Measures on Nuclear Weapons*].

Furthermore, Kazakhstan opted out of the clause whereby Ukraine and Belarus pledged to dismantle all strategic nuclear weapons on their territory and join the NPT as NNWS.<sup>893</sup>

Kazakhstan's reluctance to commit to the NPT was concomitant with its resolve to maintain the common defense structures and prevent further disintegration within the former Soviet space. Thus Kazakhstan's opting out of the NPT clause was not the rejection of the treaty per se but rather an attempt to avoid or delay having to determine Kazakhstan's relation to the treaty. Nazarbayev saw in the CIS much more than a way to manage the transition to full independence or even foster economic cooperation within the post-Soviet space. The USSR with its international standing and nuclear might was a sovereign entity in which Kazakhstan partook alongside Russia. Nazarbayev seemed to have sought a way to continue partaking in a type of collective nuclear status and prevent Russia from claiming it just for itself.

On the role of the CIS in the military strategic sphere, Nazarbayev saw eye-to-eye with the CIS high command, namely Marshal Yevgeniy Shaposhnikov. After his meeting with Nazarbayev on January 14, 1992 in Almaty, Shaposhnikov commended Nazarbayev's "constructive ideas," in particular that "the Armed Forces should be a single entity within our CIS."<sup>894</sup> Shaposhnikov contrasted Kazakhstan's approach with that of Ukraine: "Our work with the President of Kazakhstan has proceeded faster and more constructively than was the case [with] Ukraine. ... There is just no comparison here."<sup>895</sup> Nazarbayev and Shaposhnikov also found understanding on the question of military oath, which had been a particularly sore subject for Ukraine and also provoked a reaction in Belarus. Shaposhnikov informed that he and Nazarbayev reached a tentative agreement whereby officers, particularly those associated with the nuclear forces in Kazakhstan, would not be administered any new oath: "I think that it is not necessary to bother the officers with any oaths. They have already taken an oath once – to the Soviet people – and it

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<sup>893</sup> Ibid.

<sup>894</sup> "Comments After Meeting [of Nazarbayev and Shaposhnikov]," *Mayak Radio Network in FBIS-SOV-92-010*, January 14, 1992.

<sup>895</sup> Ibid.

is not the officers' fault that the name of the people has been changed from the Soviet people to the people of the CIS.”<sup>896</sup>

Yet unfortunately for Nazarbayev and Shaposhnikov, the CIS military-strategic arrangements proved highly unstable from the beginning. On the one hand, the operational control remained essentially in the hands of the Russian military, despite the provisions of the Almaty and subsequent Minsk agreements that the decision on nuclear use should be made “with the agreement” of the leaders of Kazakhstan, Belarus and Ukraine.<sup>897</sup> On the other hand, the non-Russian republics undertook some of the obligations customarily associated with nuclear weapons states, such as no-first-use commitment and obligation not to transfer nuclear weapons from their territory to other parties.<sup>898</sup> Indeed, the CIS itself was bereft of any sovereign powers and was defined only as a set of coordinating institutions.<sup>899</sup>

In a meeting with Secretary Baker in December 1991, Marshal Shaposhnikov presented a vision of the CIS as a kind of defensive alliance, not unlike NATO, where military-strategic affairs would continue to be decided by the ‘center.’<sup>900</sup> Yet in the absence of a sovereign CIS ‘center,’ the CIS security arrangements could only be interpreted as a Russian-led nuclear military alliance. This did not automatically spell the need to withdraw all strategic weapons from the non-Russian republics: they would in effect become Russian military bases in allied countries. Indeed, the US repeatedly stated that, as long as the control over nuclear armaments was not devolved to the non-Russian republics, the presence of nuclear weapons on their territory was not an obstacle to their accession to the NPT as NNWS.

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<sup>896</sup> Ibid.

<sup>897</sup> Article 4 “Soglasheniie o Sovmestnykh Merakh v Otnoshenii Iadernogo Oruzhiia. [Agreement On Joint Measures on Nuclear Weapons]”, Almaty, December 21, 1991.

<sup>898</sup> Article 2 and Article 5.2 “Soglasheniie o Sovmestnykh Merakh v Otnoshenii Iadernogo Oruzhiia. [Agreement On Joint Measures on Nuclear Weapons]”, Almaty, December 21, 1991.

<sup>899</sup> *Alma-Atinskaia Deklaratsiia [The Alma-Aty Declaration]*.

<sup>900</sup> Baker and DeFrank, *The Politics of Diplomacy. Revolution, War and Peace, 1989-1992*, 576.

If the US had doubts about the CIS capacity to continue as a confederation imbued with some vestiges of Soviet Union's sovereignty, they were very soon confirmed. In mid-January 1992, a draft US State Department memorandum conceded that "[i]t is unlikely that the Commonwealth will survive, and even if it does, it is unlikely to have much impact on domestic or foreign developments in the [former Soviet Union]."<sup>901</sup> In this state of affairs, agreeing that the nuclear weapons remain on the territory of the non-Russian republics, even on conditions of Russian control and accession by the non-Russian republics to the NPT was problematic. For one, amid high political volatility in the former Soviet Union the robustness of such Russia-led alliance, as well as Russian ability to exercise full control over military nuclear installations over time was questionable. Ukraine certainly would not have gone along with such alliance. Indeed, its cautious stance toward the CIS and its drive to forge its own armed forces were countervailing to the efforts to preserve the common post-Soviet military-strategic space.

Furthermore, there was a risk of proliferation not only to the non-Russian republics who might assert control over the nuclear weapons, but also to third parties: the political instability and economic crisis engulfing the former Soviet Union exacerbated the already high risk of nuclear proliferation to black markets and nuclear aspirants elsewhere. Kazakhstan became the source of particular anxieties due to its possible connections with Islamic world. Thus, the US was keen on having all nuclear weapons eventually transferred to the territory of Russia.

Thus, after the collapse of the Soviet Union, Kazakhstan and the US formulated significantly different positions with regard to nuclear weapons deployed on Kazakh territory. Both sides agreed on the necessity to maintain single control. Yet the US formulated a firm stance that only Russia was the successor of the Soviet Union as NWS and a depository state under the NPT, that all other republics should join the NPT as NNWS and that all nuclear weapons, tactical and

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<sup>901</sup> U.S. Department of State, "Draft Memorandum 'The U.S. Approach to the FSU: The Next Twelve Months,'" January 15, 1992, National Security Archive, <http://nsarchive.gwu.edu/NunnLugar/2015/05.%201992-01-15%20The%20US%20Approach%20to%20the%20FSU.pdf>.

strategic, on their territory should be transferred to Russia. Although there was some pushback from the CIS-Russian military command, which interpreted the withdrawal of Soviet strategic forces from the republics as a sign of further Russian strategic retreat, Russia's political leadership was in collusion with the US on these principled questions of denuclearization of the non-Russian republics.<sup>902</sup>

The tension between these two positions would translate into an intense contestation of the nuclear issue between Kazakhstan, the US and Russia that developed in the first half of 1992. From December 1991 to May 1992, Nazarbayev, in consultations with a small circle of advisors, formulated an assertive stance on nuclear arms: while maintaining that nuclear disarmament remained Kazakhstan's long-term goal, Nazarbayev claimed the status of a nuclear state and then a temporary nuclear state for Kazakhstan in public pronouncements, press interviews and in meetings with Western officials.<sup>903</sup>

### **Kazakhstan's Nuclear Assertiveness**

The US made its position on nuclear weapons abundantly clear to Kazakhstan in the fall of 1991 and winter of 1992. On January 21, 1992, President Bush sent a letter to Nazarbayev, urging Kazakhstan to join the NPT as a NNWS and pledging US technical assistance for denuclearization under the Cooperative Threat Reduction (CTR) Program.<sup>904</sup> A few days later, US Undersecretary of State Reginald Bartholomew arrived in Almaty, to further elaborate this US stance as well as discuss the question of ratification of START and NPT. As discussed in Chapter 2, the US and Russian preference was that the treaty should remain bilateral and be

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<sup>902</sup> Louis D. Sell, interview. Louis Sell served as a Minister Counselor for political affairs at the US Embassy in Moscow in 1991-1993.

<sup>903</sup> For an excellent analysis of Kazakhstan's decision-making dynamics during this period see Anuar Ayazbekov, "Kazakhstan's Nuclear Decision Making, 1991-92," *The Nonproliferation Review* 21, no. 2 (2014): 149-168.

<sup>904</sup> "Letter of President G. Bush to President N. Nazarbayev," January 21, 1992, Fond 5-N, Opis 1, Delo 437, Archive of the President of the Republic of Kazakhstan.

ratified only by the US and Russia, pursuant to which Russia would sign agreements with the non-Russian republics to address its implementation.<sup>905</sup>

Given its preference for participation in some form of collective nuclear status under the auspices of the CIS and apprehension about Russia's sole succession to the USSR's nuclear status, such solution to START ratification did not suit Kazakhstan. Indeed, all three non-Russian republics pushed back on Bartholomew's proposal to keep START bilateral and expressed their intention to join the treaty as equal parties.<sup>906</sup> This resolve was further strengthened after Yeltsin-Bush meeting at Camp David in early February 1992, during which the two presidents agreed further nuclear reductions, later to be formalized in START II, and which involved nuclear armaments on the territory of Ukraine and Kazakhstan. Yet conceding to the demands of the non-Russian republics to join a strategic arms reduction treaty as equal parties would risk casting further ambiguity on their relation to the nuclear arms on their territory.

The tensions inherent in the Kazakhstan's nuclear predicament and Nazarbayev's answers to those were well revealed during his meeting with French foreign minister Roland Dumas who visited Almaty around the time of Bartholomew's visit. France herself was looking to join the NPT as a NWS, and Dumas was keen to explore the nuclear question with the Soviet successor states. Nazarbayev took on a bold tone and proceeded to dominate the meeting with the kind of assertiveness that gave the impression that it was he who represented a major nuclear-armed world power and Dumas – a fledgling sovereign with an uncertain future.<sup>907</sup>

Nazarbayev opened the meeting by summarizing the events of the previous two months as “upsetting:” the denunciation of the 1922 Union treaty by the Slavic republics had foiled the

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<sup>905</sup> A record of Bartholomew's meeting was available only in the Belarusian archives, but it is safe to assume that his message was consistent in all capitals. “Minutes of the Meetings with US Undersecretary of State R. Bartholomew.”

<sup>906</sup> Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law*, 134–5.

<sup>907</sup> “Minutes of the Meeting of the President of the Republic of Kazakhstan Nursultan Nazarbayev with Minister of Foreign Affairs of France Roland Dumas.”

plans for a confederation, creating a new situation with new problems, the chief among which were military.<sup>908</sup> As pragmatists, Nazarbayev said, we have to deal with this new reality yet we want the newly created CIS to have a single army with a single command. In terms of nuclear weapons, Nazarbayev stressed that “in order to placate the world,” Kazakhstan, Russia, Belarus and Ukraine had undertaken the obligation under the CIS Almaty and Minsk agreements not to proliferate and maintain a joint command and control. All tactical nuclear weapons were being transferred. As for the strategic arsenal, Kazakhstan would participate in START reductions and was prepared to destroy strategic nuclear weapons subject to further agreements.<sup>909</sup> When Dumas further probed into Kazakhstan’s opposition to transferring strategic weapons to Russia for destruction and its stance on START, the following exchange ensued that is worth quoting at length:

Nazarbayev: “We will destroy 50% in 7 years [provided by START]. 100% will be destroyed if France reciprocates.” [Laughter]

Dumas: “We haven’t come to that yet.”

Nazarbayev: “Will France reciprocate or not?!”

Dumas: “France is joining the NPT.”

Nazarbayev: “We will join the NPT together with France. Also let’s not forget China, here close by.”

Dumas: “...When you join the NPT will it be as a nuclear-weapons state or as a non-nuclear-weapons state?”

Nazarbayev: “Of course as a nuclear! The first test of nuclear weapons in Kazakhstan was carried out in 1949. And from that time on, there were nuclear weapons here.”

Dumas: “And perhaps there will be still?”

Nazarbayev: “No, I banned it. For now.”

Dumas: “No, I don’t mean the tests, I mean the armaments. Because according to the scheme you described, the destruction of the nuclear weapons will take place only as the new agreements are signed.”

Nazarbayev: “But how can it be otherwise? Ukraine said it would transfer all missiles to Russia by 1994. And so they are transferring. I, for instance, don’t know how they will manage it practically. How much money this involves?... Second, the structure of nuclear weapons there and here is totally different. Ours are impossible to transfer...<sup>910</sup> Today, there are in fact nuclear weapons on the

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<sup>908</sup> Ibid.

<sup>909</sup> Ibid.

<sup>910</sup> Later in the meeting, Nazarbayev referred specifically to mobile launchers in Ukraine and compared them to Kazakhstan’s silo-based missiles, which he maintained could not be moved. This was certainly incorrect: Ukraine also housed silo-based ICBMs. It is unclear if Nazarbayev’s was an honest mistake or a rhetorical ploy to substantiate his argument against moving missiles. Given how easily his interlocutors could verify this information, it is doubtful that he intended to deceive them. Instead, claims like these seem to demonstrate how little the

territory of Kazakhstan. And they will be here for no less than 10 years. We don't want to be a nuclear state at the end of the day. Don't want. But right now they [the weapons] are here. The weapons are here and the button is in Moscow. And Kazakhstan as if has nothing to do with this. It doesn't work this way."

Dumas: "Yes, of course, during this period, even supposing that we can achieve a 100% reduction, you remain a nuclear state. This is a *de facto* situation."

Nazarbayev: "This is a *de facto* situation. But not because we want it."<sup>911</sup>

While Nazarbayev's assertion about Kazakhstan joining the NPT as a nuclear state was probably meant to be provocative, it was not made in jest. Nazarbayev advanced both a *de facto* argument for Kazakhstan's nuclear status by referring to facts – or rather missiles – on the ground, as well as a *de jure* argument by referring to the date of nuclear testing as a criterion for a nuclear weapons state status under the NPT.<sup>912</sup> With regard to the NPT, Kazakhstani decision-makers stumbled upon the same conundrum as their Ukrainian counterparts: they found themselves having to relate Kazakhstan's nuclear status to NPT, and at the same time found that the categories it provided could not adequately accommodate their situation. NPT's category of "non-nuclear weapons state" did not fit with the factual situation of nuclear weapons on the territory of Kazakhstan under collective CIS jurisdiction in which Kazakhstan formally partook, nor did it fit the status Nazarbayev thought Kazakhstan deserved given its contribution to the Soviet nuclear project and its status as a Soviet successor state.

At the same time, Nazarbayev's claim that Kazakhstan would join the NPT as a nuclear state was deeply problematic for at least two reasons: one, it would defy the very purpose of the treaty to curb the number of nuclear possessors, and two, it would upset the alignment the NPT was reaching with the broader international order, whereby its 5 NWSs were also the P5 of the UN Security Council. Through interaction with the US, Nazarbayev must have quickly understood

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leadership of the non-Russian republics really knew in early 1992 about Soviet Strategic Forces, their location and structure, especially outside of their own republics.

<sup>911</sup> "Minutes of the Meeting of the President of the Republic of Kazakhstan Nursultan Nazarbayev with Minister of Foreign Affairs of France Roland Dumas."

<sup>912</sup> Article IX, point 3 of the NPT defines a nuclear-weapons state as "one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967."

*Treaty on the Non-Proliferation of Nuclear Weapons*, July 1, 1968,

<http://www.un.org/disarmament/WMD/Nuclear/NPTtext.shtml>. Nazarbayev omitted reference to the other criterion, the manufacture of nuclear, but he later tried to argue that Kazakhstan participated in



that for Kazakhstan to become a NWS under the NPT was untenable, simply because none of the 141 NPT member states at the time would support or accept such an accession.

There was an additional difficulty with Kazakhstan's claim to nuclear status: it did not possess full control over the armaments. This point was brought up during Dumas's meeting with Nazarbayev by another member of the French delegation, General Christian Quesnot, the chief military advisor to the President of France. Quesnot inquired whether during the 10 years that Kazakhstan would be "forced" to hold nuclear weapons, it would try to establish independent control over them, or will it be content if the button remained with the Russian President.<sup>913</sup> In reply, Nazarbayev quoted the CIS agreements that although the 'button' was with the Commander of the CIS JAF and the Russian President, the decision about use could not be made without the agreement of the leaders of the three non-Russian successors which housed the weapons. Nazarbayev confirmed that a special telephone connection had been installed with the 4 heads of state for that purpose, and then challenged his interlocutor: "Now I want to ask you, Mr. General. Why are you not worried about the nuclear weapons, which are based in Russia?... I can't understand you all. ...What are you worried about? ...Why am I being asked so many questions?"<sup>914</sup> General Quesnot replied:

Mr. President, all nuclear weapons worry me, including nuclear weapons of my friends. The point of my question is the following: do you have any physical capacity, other than a telephone connection, to block a decision of the Russian President which might not be to your liking?<sup>915</sup>

In addition to underlining the fragility of Kazakhstan's nuclear status claim, Quesnot hit upon a very important point: the existing CIS nuclear setup was ultimately disadvantageous for the non-Russian successors because it left them vulnerable as targets of nuclear retaliation for a launch decision which they could not ultimately prevent. Nazarbayev admitted that after the CIS agreements had been signed, Yeltsin issued a decree that in a case of emergency, a launch

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<sup>913</sup> "Minutes of the Meeting of the President of the Republic of Kazakhstan Nursultan Nazarbayev with Minister of Foreign Affairs of France Roland Dumas."

<sup>914</sup> Ibid.

<sup>915</sup> Ibid.

decision would be made without consultations with other CIS leaders, and conceded that this formulation was wide open to interpretation.<sup>916</sup>

Despite the issue of operational control, Nazarbayev continued to insist on Kazakhstan's right to participate as an equal participant in START and further in the global disarmament process. Speaking at the World Economic Forum in Davos, Switzerland, in February 1992, Nazarbayev stressed: "The disarmament treaty [START] between the USSR and the United States is to continue. All are to participate in it. It is absolutely necessary to further reduce the weapons potential of both sides. However, destroying the weapons is not an easy matter... as long as weapons exist in the rest of the world."<sup>917</sup> Nazarbayev also mentioned that Almaty would adhere to the NPT, although this time he did not specify in what capacity.<sup>918</sup>

### *Islamic Connection*

The tensions between the NPT and the ambiguous nuclear aftermath of the Soviet collapse in Kazakhstan were very similar to those that began to develop in Ukraine. Yet of all non-Russian Soviet successor states, Kazakhstan was particularly singled out due to its potential connections with the Islamic world. Indeed, in early January 1992, an obscure report appeared that Kazakhstan had allegedly sold some nuclear components to Iran and sent scientists to Tehran to help assemble a nuclear device.<sup>919</sup> In late January, Britain's *Daily Mail* also reported that Kazakhstan was selling sensitive nuclear materials to Iran and that Nazarbayev himself had made two secret trips to Tehran.<sup>920</sup> In March 1992, further reports emerged in German magazine *Stern*

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<sup>916</sup> Ibid.

<sup>917</sup> "Nazarbayev Will Not Give Up Weapons 'Quickly,'" *Mainz 3Sat Television Network in FBIS-SOV-92-040*, February 26, 1992.

<sup>918</sup> Ibid.

<sup>919</sup> "Weekly Notes Soviet Atomic Scientists in Iran," *RLA in FBIS-SOV-92-011-A*, January 7, 1992.

<sup>920</sup> "Soviet A-Bombs 'Sold to Iran,'" *Daily Mail*, January 24, 1992; John Laffin, "Iran and a Nuclear 'Gift of the Gods,'" *Daily Mail*, January 25, 1992.

and the *US News and World Report* that two medium-range nuclear missiles from Kazakhstan had been transferred to Iran.<sup>921</sup>

The anxieties about Kazakhstan's potential ties with nuclear aspirants in the Islamic world also featured in the considerations of the US and Russia. During his meeting with President Bush and the top national security staff at Camp David in February 1992, President Yeltsin said: "Kazakhstan has Iraq for a neighbor. This is a danger. We appreciate this danger. So, an early signing [of the NPT] is essential. We are hurrying to remove tactical nuclear weapons first from Kazakhstan to prevent them from falling into Islamic hands. But the strategic weapons cannot be removed – it is technically not feasible."<sup>922</sup>

The reports remained unconfirmed and were vigorously denied by the Kazakhstani government, but also by the Russian and Iranian governments.<sup>923</sup> In a statement issued on January 29, 1992, the Kazakhstan's foreign ministry called the reports "provocative materials" and "conjectures" intended to damage Kazakhstan's international reputation on the eve of its acceptance into the United Nations and confirmed that Kazakhstan and Nazarbayev maintained committed to the disarmament and nuclear nonproliferation processes.<sup>924</sup> During his meeting with Dumas, Nazarbayev also addressed these allegations and stressed that Islamic fundamentalism has about as much appeal in Kazakhstan as it does in France.<sup>925</sup> Later at Davos, Nazarbayev once again rejected any suggestions of military cooperation with the Islamic states:

I... stress that [Kazakhstan] will adhere to every letter of the treaty on the nonproliferation of nuclear weapons, fuel rods, and technology. I know of

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<sup>921</sup> "STERN Claims Nuclear Weapons Sent to Iran," *DPA in FBIS-WEU-92-051*, March 15, 1992.

<sup>922</sup> "Memorandum of Conversation between President Bush and President Yeltsin at Camp David," 8. It seems Yeltsin meant 1) Iran, with which Kazakhstan shares a maritime border, not Iraq, 2) not that strategic weapons could not be removed at all, but that they cannot be removed in the same expedient way as the tactical weapons.

<sup>923</sup> "Ministry Denies Nuclear Proliferation Reports [Statement by the Ministry of Foreign Affairs of the Republic of Kazakhstan: The Nuclear Bluff]," *Ekspress in FBIS-SOV-92-041*, January 29, 1992; "Vorontsov Denies Nuclear Arms Sales to Iran," *Radio Rossii Network in FBIS-SOV-92-016*, January 24, 1992; Oleg Kuzmin, "Iran Denies Report," *TASS in FBIS-SOV-92-052*, March 16, 1992.

<sup>924</sup> "Ministry Denies Nuclear Proliferation Reports [Statement by the Ministry of Foreign Affairs of the Republic of Kazakhstan: The Nuclear Bluff]."

<sup>925</sup> "Minutes of the Meeting of the President of the Republic of Kazakhstan Nursultan Nazarbayev with Minister of Foreign Affairs of France Roland Dumas."

Western press reports that claim that Kazakhstan has cooperated with some Arab states in developing nuclear weapons or has at least established contacts with them. I would like to state officially that this is not true.<sup>926</sup>

Whatever the veracity of the reports of nuclear sales to Iran, the anxieties about Kazakhstan's Islamic connection were not entirely unjustified. Indeed, Nazarbayev himself later admitted that representatives of Iran and some Arab states visited Kazakhstan in the early 1992 expressing interest in its missiles.<sup>927</sup> Moreover, he did not abstain from mentioning receiving and refusing these overtures to the US negotiators, perhaps with the view to increase Kazakhstan's leverage over its nuclear inheritance.<sup>928</sup> This certainly served to only strengthen the US resolve to have the non-Russian republics disarmed as quickly as possible.

### *Temporary Nuclear State*

In early spring 1992, despite Russian opposition, the US made what it perceived as a concession to the demands of the non-Russian republics by agreeing to multilateralize START.<sup>929</sup> The US government agencies drafted an annex to START that would both recognize Russia, Belarus, Ukraine and Kazakhstan as equal parties to the treaty and commit the non-Russia republics to join the NPT as NNWS and eliminate all nuclear weapons from their territory. Based on personal assurances given to Secretary Baker by Nazarbayev during Baker's visits to Almaty, the US expected that Kazakhstan would drop its assertive stance once it was admitted to the UN. Yet despite joining the CSCE in January 1992 and becoming a fully-fledged UN member on March 2, 1992, Kazakhstan did not forsake its claim to nuclear status, but modified it: it claimed to be a 'temporary nuclear state' that would denuclearize in exchange for security guarantees from other nuclear powers.

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<sup>926</sup> "Nazarbayev Will Not Give Up Weapons 'Quickly.'"

<sup>927</sup> Nazarbayev, *My Life, My Time and the Future...*, 149.

<sup>928</sup> Thomas Graham, Jr., *Disarmament Sketches: Three Decades of Arms Control and International Law* (Seattle, WA: University of Washington Press, 2002), 135. According to Graham, Nazarbayev brought up the issue himself during the meeting with Reginald Bartholomew in January 1992.

<sup>929</sup> Ibid.

A policy memorandum, drafted by Kazakhstan's foreign ministry in April 1992, argued that since nuclear weapons were deployed on Kazakhstan's territory long before 1967 and since the republic was a successor state of the USSR, Kazakhstan was a "state-possessor of nuclear weapons," in accordance with the NPT.<sup>930</sup> Yet since Kazakhstan eventually intended to become a "nuclear free zone," it was in effect a "temporary," if rightful, nuclear state. Maintaining this status for some time would allow Kazakhstan to "fully secure its interests as a sovereign state [and] an independent subject of international law. In addition, the Republic, in the foreseeable future, would be able to keep powerful leverages over global processes, alongside leading powers."<sup>931</sup>

While Nazarbayev and the Kazakh government might have thought they had a *de jure* and *de facto* case for Kazakhstan's nuclear status, having it accepted by other states proved challenging. The US and its allies continued to reject any suggestion that any state other than Russia could fulfill the role of the former USSR in relation to the NPT. On April 22, 1992, NATO issued a statement on NPT accession reminding Kazakhstan and other non-Russian republics that "when allies recognized and established relations with the new states of the former Soviet Union, an important expectation at the time was that they would accede to the NPT as non-nuclear weapon states."<sup>932</sup> NATO stressed the importance of the NPT as "an essential element of our non-proliferation policy, and of international security," and considered the lack of progress with accession to the NPT as a "cause of concern."<sup>933</sup> Addressing Kazakhstan's claims to nuclear status, the allies maintained that "neither the mere physical presence of nuclear weapons..., nor

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<sup>930</sup> Ministry of Foreign Affairs of the Republic of Kazakhstan, "Memorandum 'Main Provisions of the Foreign Policy Concept,'" April 9, 1992, Fond 75-N, Opis 1, Delo 21, List 154-155, Archive of the President of the Republic of Kazakhstan. The document is partially transcribed in Ayazbekov, "Kazakhstan's Nuclear Decision Making, 1991-92" Translation from Russian by A. Ayazbekov.

<sup>931</sup> Ministry of Foreign Affairs of the Republic of Kazakhstan, "Memorandum 'Main Provisions of the Foreign Policy Concept.'"

<sup>932</sup> "NATO Statement on NPT Accession," April 22, 1992, Fond 5-N, Opis 1, Delo 289, Archive of the President of the Republic of Kazakhstan.

<sup>933</sup> Ibid.

the locus of past Soviet nuclear testing activities constituted grounds for regarding [the non-Russian states] as nuclear weapons states under the treaty.”<sup>934</sup>

NATO’s unambiguous stance made it very clear that accession to the NPT remained a key issue for the West and that the option to join the NPT as a NWS was closed to Kazakhstan, yet Nazarbayev was still not prepared to make a commitment to join the treaty as a NNWS. Even amid preparations for his much anticipated visit to Washington D.C. scheduled for mid-May, Nazarbayev made an attempt to reconcile the NPT with Kazakhstan’s nuclear predicament. On April 27, 1992, *Christian Science Monitor* published an interview with Nazarbayev, in which he called on the US to accept Kazakhstan as a “temporary nuclear power” until such time as Kazakhstan joins the NPT as a NNWS.<sup>935</sup> Meanwhile, Kazakhstan would sign START immediately and conduct reductions in accordance with that treaty, and would be willing to pursue total elimination of nuclear weapons in exchange for US security guarantees against nuclear attack by Russia and China.<sup>936</sup> Nazarbayev stated that during his upcoming visit to Washington he was looking to conclude a “strategic alliance” with the US and did not fail to mention that he wanted America, “with all its economic and technological might, to establish a presence in Kazakhstan,” a clear reference to the interest American oil companies were expressing in developing Kazakh oil fields.<sup>937</sup>

When the State Department presented a draft of the annex to START, Nazarbayev in a letter to Secretary Baker on April 29, 1992 continued the same line and pushed back on the clause committing Kazakhstan to join the NPT. He argued that START and NPT were better addressed by two separate instruments, lest the deliberation of the two treaties together should

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<sup>934</sup> Ibid.

<sup>935</sup> Daniel Sneider, “Kazakhstan Seeks US Pact for Further Nuclear Cuts,” *Christian Science Monitor*, April 27, 1992, <http://www.csmonitor.com/1992/0427/27012.html>.

<sup>936</sup> Ibid.

<sup>937</sup> Ibid.

complicate the process ratification of the NPT by the republic's parliament.<sup>938</sup> In addition, Nazarbayev implied that for Kazakhstan to join the NPT as NNWS while strategic armaments remained on its territory would in effect strip the collective CIS façade and, by default, render their status as simply Russian military installations on Kazakh soil: "...To be honest with you, we cannot ignore the fact that basing the weapons of mass destruction belonging to a foreign state, as a rule, provokes a negative reaction among the population," Nazarbayev argued.<sup>939</sup> At the same time, Nazarbayev affirmed that Kazakhstan, "in its yearning to become a nonnuclear state, is firmly supportive of the total and complete disarmament under strict and effective international control. In this process, Kazakhstan intends to participate as an equal partner. Kazakhstan will fully support the NPT and is ready to accede to it."<sup>940</sup>

#### *Domestic Opposition to Disarmament*

Given Nazarbayev's control of his parliament, his remark in the letter to Baker about the difficulty he might encounter in the ratification process if START and NPT were addressed in the same document must certainly be taken with great degree of qualification. However, while Nazarbayev exercised greater control over political decision-making than his counterparts in Russia and other non-Russian nuclear successors, his political power rested to a large degree on the dexterity with which he managed to maintain a delicate balance between the Kazakh nationalist pressures, on the one hand, and amicable relations with Russia, on the other. The 'temporary nuclear power' status together with the formal military arrangements within the CIS allowed Nazarbayev to strike just such a balance on the nuclear issue, masking the fact that strategic forces on Kazakh territory were essentially controlled by Russia proper, a situation that would have not been viewed favorably by Kazakh nationalists.

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<sup>938</sup> "Letter of President N. Nazarbayev to the Secretary J. Baker," April 29, 1992, Fond 5-N, Opis 1, Delo 289, Archive of the President of the Republic of Kazakhstan.

<sup>939</sup> Ibid.

<sup>940</sup> Ibid.

Indeed, one of Nazarbayev's political opponents, leader of the moderate nationalist Azat party Mikhail Isinaliyev criticized Nazarbayev for being too lenient on the nuclear issue. He flagged the fragility of Kazakhstan's long-sought newly-found statehood, citing the dangers of separatism in northern Kazakhstan supported by nuclear-armed Russia, as well as presence of nuclear China to the east and soon-to-be nuclear India and Pakistan to the south.<sup>941</sup> Isinaliyev met with Nazarbayev prior to his visit to the US, and, referring to *Christian Science Monitor* interview, reported asking him: "Why are you asking Bush to recognize Kazakhstan as a temporary nuclear state? Firstly, the republic is [already] a de facto nuclear state, that's why they are talking to you about nuclear weapons. There is no need to be asking for [recognition]. Secondly, what guarantees are you talking about? Nobody will give you any guarantees and if they do, it will be a nonbinding piece of paper."<sup>942</sup> He called Nazarbayev not to yield to Russian and American pressures if he cared to see Kazakhstan retain its statehood.<sup>943</sup>

The sentiment that the government was making unjustified concessions to the nuclear issue was shared not only by Isinaliyev's and his Azat party, but also by other nationalistically inclined political forces, Zheltoksan and Alash.<sup>944</sup> Yet while Nazarbayev had to be mindful that these allegations do not tarnish his public image, the nationalist opposition had very little political power over nuclear decision-making in Kazakhstan, if for no other reason than that few of the opposition leaders were members of the parliament. Herein was one of the important differences between the political context of Kazakhstan and that of Ukraine, where the national-democratic leaders, apprehensive of Russia and reluctant to denuclearize, had a strong voice in the parliament and directly participated in the negotiations with Russia and the US.

On the other hand, like in Ukraine, there was an utter absence of a strong opposition to retaining nuclear arms in Kazakhstan. Surprisingly, Olzhas Suleimenov and the Nevada-Semipalatinsk

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<sup>941</sup> Mikhail Isinaliyev, *Na Grani... Epokh [On the Edge... Of Epochs]* (Almaty: Gylm, 1998), 110, 112.

<sup>942</sup> Ibid., 113.

<sup>943</sup> Ibid., 114.

<sup>944</sup> Mikhail Ustiugov, "A "Temporary Nuclear State,"" *The Bulletin of the Atomic Scientists* 49, no. 8 (October 1993): 34.



movement did not voice opposition to Nazarbayev's nuclear assertiveness of the first half of 1992. It would be incorrect to think that anti-nuclear activism in Kazakhstan in the late 1980s was created and sustained to serve solely instrumental purposes of the republican government such as establishing greater autonomy over republican economic life. The suffering of the Kazakh people from decades of nuclear testing was all too real and the discontent all too justified. Yet like in Ukraine, the anti-nuclear sentiment in Kazakhstan did not translate into a nuclear disarmament movement during the debate over Soviet nuclear weapons once Kazakhstan became independent.

It is both curious and surprising how quickly and easily a strong anti-nuclear sentiment could be reconciled with assertive claims to nuclear armaments. Like Chernobyl-inspired nuclear aversion in Ukraine, the Semipalatinsk inspired anti-nuclear sentiment did not lead to the wholesale rejection of things nuclear among political elites and the public. Indeed, it was as if the suffering inflicted by the nuclear power plant disaster or decades of nuclear testing strengthen claims to the hard-won right to decide one's own nuclear fate autonomously and to obtain a fair deal on nuclear arms.

Nazarbayev's remarks to international press as well as his correspondence with the State Department in the course of the first few month of Kazakhstan's independence essentially communicated that Nazarbayev preferred the same two-tier approach to disarmament as many in Ukraine: START ratification and reductions first, total disarmament in conjunction with other nuclear possessors or in exchange for security guarantees, later. In the meantime, the two states wanted to prolong their ambiguous nuclear predicament that afforded them some degree of entitlement to the nuclear weapons on their territory. Neither state, however, was very clear on how exactly this nuclear ambiguity would serve their political or security purposes. Beyond considerations of international status and 'belonging' to a certain privileged category of states, and perhaps, a belief in some type of existential deterrence, whereby national security would be

bolstered by the very presence of nuclear arms on their territory, neither Ukraine, nor Kazakhstan had a nuclear strategy or analyzed how they would make their deterrent ‘work’ in practical, military terms.

Furthermore, despite Kazakhstan’s assertive rhetoric, no moves had been made to assume any control over nuclear forces on its territory. Even though Kazakhstan was attentive to Ukraine’s position on nuclear arms, it did not follow its path, when in April 1992 Ukraine declared administrative control its strategic forces and required all units associated with them to take Ukrainian military oath. Nazarbayev continued to stake his hopes on Joint CIS Armed Forces to provide for Kazakhstan’s security needs. Only in May 1992 did Kazakhstan move to create its own armed forces, a fully-fledged defense ministry, and appointed its first Defense Minister, Gen. Sagadat Nurmagambetov.<sup>945</sup> While declaring that all military units and installations on the Kazakh territory would not be under the Kazakh jurisdiction, the legislation was careful to preserve the “existing system” of managing the strategic forces.<sup>946</sup>

Kazakhstan’s laggardness in establishing independent armed forces was predicated not solely by a political preference for collective defenses but also by necessity. Indeed, while Ukraine’s and Belarus’s challenge had been the reduction in the huge size of armed forces the Soviet Union left behind and coping with the social problems such cuts entailed, Kazakhstan’s problem was the diametrical opposite: how to scrape up conventional forces from a small population sufficient to defend its enormous territory. Kazakhstan’s initial plans had been to create a national guard of some 20,000 men, yet even this number proved difficult to enlist.<sup>947</sup> The problem was particularly acute with regard to officer corps, which during the Soviet times consisted almost

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<sup>945</sup> President of the Republic of Kazakhstan, *Ukaz O Sozdanii Vooruzhennykh Sil Respubliki Kazakhstan* [Decree on the Creation of Armed Forces of the Republic of Kazakhstan] No. 745, May 7, 1992, [http://adilet.zan.kz/rus/docs/U920000745\\_](http://adilet.zan.kz/rus/docs/U920000745_); President of the Republic of Kazakhstan, *Ukaz O Preobrazovanii Gosudarstvennogo Komiteta Oborony Respubliki Kazakhstan v Ministerstvo Oborony Respubliki Kazakhstan* [Decree on Transformation of the State Committee on Defense of the Republic of Kazakhstan into the Ministry of Defense of the Republic of Kazakhstan] No. 738, May 7, 1992, [http://adilet.zan.kz/rus/docs/U920000738\\_](http://adilet.zan.kz/rus/docs/U920000738_).

<sup>946</sup> President of the Republic of Kazakhstan, *Ukaz O Sozdanii Vooruzhennykh Sil Respubliki Kazakhstan* [Decree on the Creation of Armed Forces of the Republic of Kazakhstan] No. 745.

<sup>947</sup> Olcott, *The Kazakhs*, 288–9.

exclusively of Russians and other Slavs, the overwhelming majority of whom opted to leave Kazakhstan and return to their republic of origin despite Kazakhstan's efforts to delay the exodus.<sup>948</sup> Kazakh national army remained small and understaffed well into mid-1990s, and only after Russia finally dissolved the CIS JAF in June 1993, did Kazakhstan began to construct its armed forces in earnest.<sup>949</sup>

### **Toward Tashkent and Lisbon**

By spring 1992 it became abundantly clear that the CIS was not going to have the saliency Nazarbayev had hoped for. Without any sovereign powers, it was unworkable and struggled to maintain the façade of the unified military.<sup>950</sup> A single framework for collective security arrangements, such as was agreed in the first few CIS meeting in December 1991 could not satisfy all CIS members equally. Moreover, both Ukraine and Belarus had officially proclaimed themselves non-allied neutral states, which impeded or delayed their integration into any type of Russian-led military alliance structures. Yet the fragility of the CIS was not only due to tensions between Ukraine and Russia, but also due to the limited capacity of Russia to provide the lead and support for such collective security arrangement.

Kazakhstan was being pressed to commit to denuclearization in a most unfavorable and uncertain security situation. The common defenses upon which it was used to relying were falling apart, and it was left to configure its security autonomously with essentially nonexistent conventional forces in an unfavorable geopolitical situation, landlocked and surrounded by the nuclear Russia to the north, nuclear China to the east and a number of nuclear aspirants to the south, including India, Pakistan, Iran and Iraq. Indeed, Nazarbayev's advisors from the President's Institute of Strategic Studies, Kairat Abuseitov and Murat Laumulin wrote in May

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<sup>948</sup> Ibid.; Vladimir Ardaev, "AWOL," *The Bulletin of the Atomic Scientists* 49, no. 8 (October 1993): 36.

<sup>949</sup> Olcott, *The Kazakhs*, 289.

<sup>950</sup> See Nazarbayev's comments in "Memorandum of Conversation between President Bush, President Nazarbayev, and Secretary of State Baker," May 19, 1992, National Security Archive, <http://nsarchive.gwu.edu/NunnLugar/2015/>.

1992 that “if for Ukraine possessing a part of the nuclear might of the former Soviet Union is primarily a question of prestige, for Kazakhstan this problem, figuratively speaking, is a question of life and death.”<sup>951</sup>

Relations with Russia were the most important and the most uneasy part of formulating Kazakhstan’s new security narrative.<sup>952</sup> Russia was at once Kazakhstan’s most important partner and its greatest threat. Nationalist forces within Russia were on the rise, lending support to Russian Cossack nationalist movements in northern Kazakhstan. Russia’s famous writer and Nobel laureate Aleksandr Solzhenitsyn in his hugely influential 1990 essay “Rebuilding Russia” maintained that northern Kazakhstan was an integral part of ethnic Russian lands, a claim that was not lost on a number of politicians in Yeltsin’s entourage.<sup>953</sup> Yet this type of Russian threat could hardly be deterred by nuclear means, given that any attempt to do so would involve wresting control over nuclear armaments from Russia itself, a move that would only make things worse. Moreover, Kazakhstan was bound to Russia by the common past as well as by tightly intertwined economic and political present. Indeed, up until 1993, Kazakhstan used the Russian ruble for its currency.

In view of the threat of territorial revisionism by Russia and the simultaneous need to maintain close relations with Russia, Nazarbayev pursued a type of ‘containment by engagement’ strategy. This stood in sharp contrast with Ukraine, which perceived many of the same issues and threats from Russia, but in response to those chose to bolster its own independent military and treat any collective security arrangement dominated by Russia with great suspicion. Indeed, Ukraine’s national-democrats would have viewed the type of engagement with Russia pursued by Nazarbayev as treasonous submission to Russian imperial domination.

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<sup>951</sup> Abuseitov and Laumulin quoted in Ustiugov, “A ‘Temporary Nuclear State,’” 35. Ukrainians were of a different opinion, of course.

<sup>952</sup> Indeed, Mikhail Aleksandrov named Kazakh-Russian an “uneasy alliance,” quite aptly. See Mikhail Alexandrov, *Uneasy Alliance: Relations Between Russia and Kazakhstan in the Post-Soviet Era, 1992-1997* (Westport, CT: Greenwood Press, 1999).

<sup>953</sup> Aleksandr Solzhenitsyn, *Rebuilding Russia*, trans. Alexis Klimoff (New York, NY: Farrar, Straus and Giroux, 1991), 3; Alexandrov, *Uneasy Alliance: Relations Between Russia and Kazakhstan in the Post-Soviet Era, 1992-1997*, 28–9.

Nuclear-armed China was the other significant neighbor that always featured in Kazakhstan's nuclear discourse. There was awareness that China could also mount territorial claims: as Nazarbayev had noted in a *Washington Post* interview before his trip to Washington, there were Chinese textbooks which claimed that parts of Siberia and Kazakhstan belonged to China.<sup>954</sup> While it is unclear how strongly Kazakh leadership perceived a Chinese threat at the time, it was certainly a consideration.<sup>955</sup> It was also a threat Kazakhstan was capable of deterring provided a retention of the CIS or Russian nuclear umbrella.

To the south of Kazakhstan was another unstable region susceptible to rising Islamic fundamentalism and inter-ethnic conflict, as evidenced by the civil war in Tajikistan and continuing volatility in Afghanistan. That Kazakhstan did not use its nuclear endowment and the interest expressed in it by the Middle Eastern nuclear aspirants to pursue the first "Muslim bomb" was a testament to both the weakness of Islamic identity in Kazakhstan and the concerted effort by the Kazakhstani leadership to prevent the emergence of perception of Kazakhstan as an "Islamic" state, while not denouncing its Turkic and Islamic legacy.

Instead, Nazarbayev cast Kazakhstan as a "linchpin" or a "bridge" between East and West, and between the Christian and the Muslim world. "Kazakhstan is in the very heart of Asia. We border on China. Russia is close by. Islamic states lie to the south. Naturally, we would like to view ourselves as a democratic state that can serve as a bridge between all these countries," said Nazarbayev in another *Washington Post* interview.<sup>956</sup> This would eventually develop into Nazarbayev's so called "multi-vector" foreign policy: attempting to turn Kazakhstan's geostrategic vulnerabilities into geopolitical assets by engaging and developing good relations

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<sup>954</sup> Michael Dobbs, "Kazakh Sets Conditions On A-Arms; Nazarbayev Seeks Powers' Guarantees," *The Washington Post*, May 6, 1992.

<sup>955</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 35–6.

<sup>956</sup> Michael Dobbs, "Kazakh Leader Emerges As Key Ex-Soviet Figure; Nazarbayev Embarks on Creation of Linchpin Nation," *The Washington Post*, May 18, 1992.

with all its neighbors and integrating into a number of sometimes overlapping regional and global security regimes.<sup>957</sup>

In mid-1992, however, the security cooperation with Russia was not only the most pressing but also the most doable security arrangement Kazakhstan could pursue. Thus, with CIS proving unworkable, Kazakhstan sought alternative formats to engage with Russia. The outcome was the Collective Security Treaty, signed on May 15, 1992 in the Uzbek capital of Tashkent, committing signatories to treat aggression against one as aggression against all.<sup>958</sup> Although a total of six CIS member states signed, Russia and Kazakhstan had been both the initiators and the key members of the Tashkent Treaty; neither Ukraine nor Belarus joined. In addition, Kazakhstan was preparing a bilateral Treaty on Friendship, Cooperation and Mutual Assistance with Russia, to be signed on May 23, which included the commitments to each other's territorial integrity, cooperation on defense within "a common military-strategic space," and joint use of military bases.<sup>959</sup>

In a letter to President Bush following the signing of the Tashkent Treaty, Nazarbayev stated that with the signing of the Tashkent Treaty the national security situation of Kazakhstan qualitatively changed.<sup>960</sup> Taking this into account, and given that the American side agreed to include Kazakhstan as one of the parties to START therefore an equal partner in strategic arms negotiations, Kazakhstan would join the NPT as a NNWS.<sup>961</sup> Yet, Nazarbayev stressed that instrumental to this agreement would be "assurances by the US that it upholds the obligation to

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<sup>957</sup> Cummings, "Eurasian Bridge or Murky Waters between East and West? Ideas, Identity and Output in Kazakhstan's Foreign Policy," 141–2.

<sup>958</sup> "Dogovor O Kollektivnoi Bezopasnosti [Treaty on Collective Security]," May 15, 1992, Single Register of Legal Acts and Other Document of the Commonwealth of Independent States, <http://www.cis.minsk.by/reestr/ru/index.html#reestr/view/text?doc=79>.

<sup>959</sup> Verkhovnyi Sovet of the Republic of Kazakhstan, *Postanovleniie "O Ratifikatsii Dogovora O Druz'be, Sotrudnichestve I Vzaimnoi Pomoshchi Mezhdur Respublikoi Kazakhstan I Rossiiskoi Federatsiiei"* [Resolution on Ratification of the Treaty on Friendship, Cooperation and Mutual Assistance between the Republic of Kazakhstan and the Russian Federation], July 2, 1992, [http://adilet.zan.kz/rus/docs/B920005500\\_](http://adilet.zan.kz/rus/docs/B920005500_).

<sup>960</sup> "Letter of President N. Nazarbayev to President G. Bush," May 15, 1992, Fond 5-N, Opis 1, Delo 289, Archive of the President of the Republic of Kazakhstan.

<sup>961</sup> Ibid.

extend immediate assistance to Kazakhstan should it find itself an object of aggression or threat.”<sup>962</sup>

While finally committing to the NPT, Nazarbayev resolved to make one last stand and use the strategic alliance with Russia as the reason to argue that the nuclear weapons could remain on Kazakhstan’s territory under Russian jurisdiction, even after Kazakhstan joined the NPT as a NNWS. When Nazarbayev arrived on May 18, 1992 for his first visit to the US, he continued to insist that the question of stationing of nuclear weapons in Kazakhstan should be decided between Russia and Kazakhstan, as allies, and even brought with him a representative of the Russian General Staff, who could help him address nuclear-specific questions.<sup>963</sup> Certainly, for this position he could count on the support of many in the Russian military-strategic establishment who considered the denuclearization of the republics as a continuation of the Soviet-Russian strategic retreat.

Nevertheless, the US side insisted that all of the weapons from the non-Russian republics should be eliminated. President Bush evaded the meeting with Nazarbayev, until on the second day of his visit Nazarbayev finally signed an exceedingly brief letter stating that “Kazakhstan shall guarantee the elimination of all types of nuclear weapons including strategic offensive arms, located on its territory during the seven-year period of time as provided by the START Treaty.”<sup>964</sup> In return, Nazarbayev failed to obtain any binding security guarantees or even a joint statement expressing any US security commitment to Kazakhstan, which he sought prior to his visit to Washington.<sup>965</sup>

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<sup>962</sup> Ibid.

<sup>963</sup> Nazarbayev, *My Life, My Time and the Future...*, 148.

<sup>964</sup> Ibid.; “Letter from Kazakh President Nursultan Nazarbayev to President Bush,” May 19, 1992, National Security Archive, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB491/docs/05%20-%201992-05-19%20Letter%20from%20Nazarbayev%20to%20Bush%20on%20START.pdf>.

<sup>965</sup> “Cable from American Embassy Alma Ata, “Kazakh Proposal for a Joint Statement in Washington during Nazarbayev Visit [Excerpt],” May 6, 1992, National Security Archive, [http://nsarchive.gwu.edu/NunnLugar/2015/15.%201992-05-06%20Cable%20from%20Courtney,%20Kazakh%20Proposal%20for%20a%20Joint%20Statement%20in%20Washington%20during%20Nazarbayev%20Visit%20\[Excerpt\].pdf](http://nsarchive.gwu.edu/NunnLugar/2015/15.%201992-05-06%20Cable%20from%20Courtney,%20Kazakh%20Proposal%20for%20a%20Joint%20Statement%20in%20Washington%20during%20Nazarbayev%20Visit%20[Excerpt].pdf).

On May 23, Kazakhstan's State Counselor and a close Nazarbayev associate Tulegen Zhukeyev traveled to Portugal, to sign the Lisbon Protocol whereby becoming a party to START and, at the same time, undertaking to join the NPT as NNWS "in the shortest possible time."<sup>966</sup> Nazarbayev's May 19<sup>th</sup> letter, along with similar letters by his Ukrainian and Belarusian counterparts, was attached to the Protocol and committed Kazakhstan to total elimination of nuclear weapons from its territory.

For those who followed Nazarbayev's assertive public stance on nuclear weapons right up until his trip to Washington, this sudden decision to relinquish any claims to nuclear arms without getting much in return must have seemed like a capitulation. National-democratic opposition party Zheltoksan staged a protest in front of the Verkhovnyi Sovet urging MPs not to ratify the NPT.<sup>967</sup> They claimed that Nazarbayev had "made a gift" of Kazakhstan's nuclear arms to Russia under pressure from the US thereby undermining the country's independence.<sup>968</sup> Nazarbayev's long-time critic on the nuclear issue Isinaliyev published an article harshly criticizing Nazarbayev for yielding to American pressure to give up Kazakhstan's nuclear arsenal without obtaining sufficient security guarantees in return.<sup>969</sup> Nor did Isinaliyev share Nazarbayev's optimism about cooperating with the US, whose great power arrogance placed it in the same category as Russia:

[W]hen the US demanded that the President of Kazakhstan relinquished nuclear missiles without taking upon themselves any commitments... the President of the republic should not have yielded his position, subserviently expressing gratitude for the "trust" of the White House boss today, as he had done with the Kremlin boss yesterday.<sup>970</sup>

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<sup>966</sup> "Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms."

<sup>967</sup> "Kazakh Opposition Urges Treaty Rejection," *Interfax in FBIS-SOV-92-102*, May 25, 1992.

<sup>968</sup> Ibid.

<sup>969</sup> Mikhail Isinaliyev, "Gde Garantii Bezopasnosti? [Where Are Security Guarantees?]," *Zheltoksan*, No 2, 1992; in Mikhail Isinaliyev, *Na Grani... Epokh [At the Edge... Of Epochs]* (Almaty: Gylm, 1998), 110–115. Isinaliyev's article was rather a *cri de coeur*, published already after the ratification of START by the parliament, rather than an earnest attempt to prevent it.

<sup>970</sup> Isinaliyev, *Na Grani... Epokh [On the Edge... Of Epochs]*, 114.



In an attempt of preempt and stave off criticisms, Nazarbayev stressed that the Tashkent Collective Security treaty complete with the Russian “nuclear umbrella” was Kazakhstan’s best security guarantee and that, for their part, the Americans confirmed that any state that voluntarily relinquished nuclear weapons would be under the protection of the world community.<sup>971</sup> Auspiciously and, likely, strategically, timed with Nazarbayev’s nuclear renunciation was the declassification of all materials about the results of nuclear tests at Semipalatinsk by the Kazakhstani government.<sup>972</sup> Nazarbayev conveniently picked up the theme: “Scores of our people have suffered as a result of nuclear tests conducted in Kazakhstan for decades. [This is] a serious reason for the striving of the people of Kazakhstan to eliminate weapons of mass destruction both on their own soil and in other countries.”<sup>973</sup>

In the end, neither the opposition of Isinaliyev, nor the protests of Zheltoksan had much bearing on the nuclear decision-making in Kazakhstan’s political context. On July 2, 1992, the Verkhovnyi Sovet ratified the Lisbon Protocol, making Kazakhstan the first of the signatories to do so.<sup>974</sup> That Nazarbayev was able to have the START-Lisbon ratified so quickly and without reservations was a reflection of the President’s domination over the legislature, a characteristic that distinguished Kazakhstan from both Ukraine and Belarus. Thus, by July 1992, although the task of Kazakhstan’s formal accession to the NPT remained, the main political questions regarding Kazakhstan’s nuclear inheritance had been settled.

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<sup>971</sup> “Nazarbayev on Arms Treaty, Collective Security,” *Russian Television Network in FBIS-SOV-92-101*, May 24, 1992.

<sup>972</sup> Oleg Stefashin, “Semipalatinsk Tests Information Declassified [“Information on Semipalatinsk Test Range Declassified],” *Izvestiya in FBIS-SOV-92-104*, May 20, 1994.

<sup>973</sup> “Kazakh Opposition Urges Treaty Rejection.”

<sup>974</sup> Verkhovnyi Sovet of the Kazakh Soviet Socialist Republic, *Postanovlenie “O Ratifikatsii Dogovora Mezhdru Soiuom Sovetskikh Sotsialisticheskikh Respublik I Soedinennymi Shtatami Ameriki O Sokerashchenii I Ogranichenii Strategicheskikh Nastupatel’nykh Vooruzhenii”* [Resolution on Ratification of Treaty between the Union of Soviet Socialist Republics and the United States of America on the Reduction and Limitation of Strategic Offensive Arms], July 2, 1992, [http://adilet.zan.kz/rus/docs/B920005600\\_](http://adilet.zan.kz/rus/docs/B920005600_). The Treaty on Friendship with Russia was ratified on the same day.

## From Assertiveness to Precaution

With the signature and ratification of START-Lisbon package, Kazakhstan's bid to constrain Russia in claiming exclusive nuclear succession to the USSR and to partake in some way in a nuclear status, temporary or otherwise, was over. Although the Lisbon Protocol did not remove the ambiguity of Kazakhstan's nuclear status until it joined the NPT, Nazarbayev, true to his tendency to discard what did not work and move forward, dropped assertive nuclear rhetoric, including the claim that Kazakhstan was a 'temporary nuclear state.' At the same time, the signature of the Lisbon protocol certainly did little to alleviate Kazakhstan's security concerns.

The 'strategic alliance' with the US, which Nazarbayev aspired, was proving elusive. During his meeting with Bush in May 1992, Nazarbayev stressed: "Our task is security and democracy. We have resources... We want American companies to come over and invest... We want your military to come over and train our military... I want a grand and powerful US presence."<sup>975</sup> Indeed, Kazakhstan's commitment to join the NPT and the toning down of Kazakhstan's nuclear rhetoric removed the last obstacles to advancing negotiations with the US oil giant Chevron which was looking to invest \$50 billion over the following 40 years into developing one of the biggest oil fields in the world at Tengiz on the Caspian Sea.<sup>976</sup> Yet the US was unwilling to pledge security commitments to Kazakhstan beyond the generic assurances it pledged to all non-nuclear NPT parties.

At the same time, Russia, which controlled nuclear arms on the Kazakh territory, was looking increasingly unstable and the uncertainty over what kind of strategic partner Russia may become was looming large. Nazarbayev maintained good working relations with President Yeltsin but the latter's political position was beginning to look vulnerable. The impending standoff between the nationalist-communist alliance in the Russian parliament and Yeltsin, that would culminate in

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<sup>975</sup> "Memorandum of Conversation between President Bush, President Nazarbayev, and Secretary of State Baker."

<sup>976</sup> The deal would be finalized in April 1993, with the creation of the joint venture Tengizchevroil, in which Chevron owned 50%, another US company Exxon Mobile – 25%, Russian oil company Lukoil – 5% and the Kazakh government – the remaining 20%.

the dramatic siege of the Russian parliament in October 1993, threatened dangerous chaos. For someone like Nazarbayev, who highly valued order and stability, it was not so much Russia *per se* but Russian instability and chaos that constituted a threat.

Still, a close political and military union with Russia, despite its uncertainty, was still the most tangible security guarantee Kazakhstan had. Thus, Nazarbayev was not inclined to rush with the dismantlement of the nuclear missiles on Kazakhstan's territory and tried to either retain them as Russian bases, or exert greater concession from the West. Indeed, despite commitments contained in Nazarbayev's letter attached to the Lisbon protocol, the Kazakh leadership did not entirely abandon the prospect of long-term deployment of Russian nuclear forces on its territory, in the same way as the US nuclear forces were deployed on the territory of Italy or Germany.<sup>977</sup>

Additionally, for START and its dismantlement schedule to come into effect, all other parties had to ratify it, and Nazarbayev and his team paid close attention to the developments in other nuclear successor states. While in Belarus the prospects of smooth ratification looked good, in Ukraine a formidable opposition to the ratification of the Lisbon Protocol was beginning to brew. And so, Nazarbayev adopted a cautious stance and waited with submitting the NPT for ratification.

In November 1992, shortly after the US Senate ratified START, a congressional delegation headed by senators Sam Nunn (D-GA) and Richard Lugar (R-IN) visited Almaty to try and prod the progress on transfers and dismantlement and also probe how the developments in Ukraine might influence decision-making in Kazakhstan. In the meeting with Nazarbayev, they outlined available financial resources for the disarmament process under the CTR program for which at the time some \$800 million had been appropriated by Congress. Encouraging Kazakhstan to complete disarmament prior to the 7-year timeline provided by START, the senators suggested that those who make greater progress in disarmament could count on greater share of the

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<sup>977</sup> Potter, *The Politics of Nuclear Renunciation: The Cases of Belarus, Kazakhstan, and Ukraine*, 36.

funds.<sup>978</sup> In addition, they mentioned the US-Russian negotiations on the purchase of HEU, part of the proceeds from which would go to Kazakhstan, upon the negotiations with Russia, Ukraine and Belarus.<sup>979</sup>

Yet the promise of increased aid for quicker disarmament failed to sway the Kazakh leadership. Both Nazarbayev and his foreign minister pointed out the fact that START had yet to be ratified by other parties – at that point Ukraine and Belarus – and that dismantlement and liquidation of nuclear weapons should proceed in a “symmetrical” fashion for all parties to START.<sup>980</sup> Nazarbayev also insisted that Kazakhstan should participate in the negotiations of the HEU deal directly as an equal party. Importantly, he stressed that Kazakhstan still needed security guarantees from the US.<sup>981</sup>

Thus, although Kazakhstan was the first to ratify the START-Lisbon package, it proceeded very cautiously with the implementation of its commitments. Even compared to Ukraine, where the nuclear controversy was growing, Kazakhstan was a laggard in negotiating technical assistance for denuclearization with the US Safe and Secure Disarmament (SSD) delegation. By February 1993, the head of the SSD delegation Maj. Gen. William Burns after completing several trips to Kazakhstan, reported to the Senate Foreign Relations Committee that in terms of negotiating and preparing documents enabling the provision of technical assistance to Kazakhstan, “considerable work remains to be done..., in view of its [Kazakhstan’s] inability thus far to respond to our initiatives and invitations.”<sup>982</sup>

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<sup>978</sup> “Minutes of the Meeting of President N. Nazarbayev with Senators Nunn and Lugar,” November 21, 1992, Fond 75-N, Opis 1, Delo 3, Archive of the President of the Republic of Kazakhstan.

<sup>979</sup> Ibid.

<sup>980</sup> Ibid.; “Minutes of the Meeting of Minister of Foreign Affairs of Kazakhstan T. Suleymenov with Senators Nunn and Lugar,” November 21, 1992, Fond 75-N, Opis 1, Delo 3, Archive of the President of the Republic of Kazakhstan.

<sup>981</sup> “Minutes of the Meeting of President N. Nazarbayev with Senators Nunn and Lugar.”

<sup>982</sup> “Report to the Senate Committee on Foreign Relations on U.S. Efforts to Facilitate the Safe and Secure Disarmament of Former Soviet Nuclear Weapons by Major General William F. Burns, U.S. Army (Ret), Head of U.S. SSD Delegation,” 12.

Moreover, with the shifting of the US attentions to the presidential campaign in the second half of 1992 the focus was placed on the ratification of START by all parties, rather than its early implementation. Nazarbayev, for his part, was keen to ascertain what the policy of the new Clinton administration toward the former Soviet Union and its approach to Kazakhstan would be. After the Clinton administration assumed office in early 1993, it became clear that its foreign policy in the region would remain essentially unchanged from that pursued by Bush. In a letter to President Nazarbayev dated February 12, 1993, President Clinton wrote:

A key to our relationship is your country's commitment to become a non-nuclear state. I greatly value Kazakhstan's early ratification of the START I Treaty, and look forward to its early accession to the Non-Proliferation Treaty. Acceding to the NPT will go a long way toward creating the basis for a broader relationship between our two countries.<sup>983</sup>

Thus, after a brief lull, in the spring of 1993, the US efforts to get Kazakhstan and Ukraine to commit to complete denuclearization and accession to the NPT started with a renewed focus.<sup>984</sup> The SSD delegation now led by Ambassador James Goodby renewed visits to Kazakhstan to negotiate the framework agreement for the distribution of the technical assistance funds under the CTR program, from which \$85 million had been earmarked for Kazakhstan. These funds were to provide expertise and technical assistance for the removal of the ICBMs and the destruction of silos, as well as the institution of export controls and training for Kazakh security personnel.

### **Clinton Diplomacy and NPT Ratification**

It appeared, however, that the Clinton administration not only continued its predecessor's focus on nuclear nonproliferation vis-à-vis the Soviet successor states but also its overwhelming focus on Russia as the key to stability and success of democratic transition in the entire post-Soviet space. The administration launched its policy toward the former Soviet Union with the US-

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<sup>983</sup> "Letter of US President W. Clinton to President of the Republic of Kazakhstan N. Nazarbayev," February 12, 1993, Fond 75-N, Opis 1, Delo 448, Archive of the President of the Republic of Kazakhstan.

<sup>984</sup> Belarus, which never put up a serious resistance to US demands to denuclearize, ratified START and acceded to the NPT on February 4, 1993.

Russian summit in Vancouver in March 1993, where it pledged a substantial economic aid package of over \$1 billion to Moscow. This came to be viewed by the non-Russian successors as disproportionately focused on Russia at their expense. When in June 1993, the first high-level delegation of the Clinton administration arrived in Almaty, led by US Ambassador-at-Large Strobe Talbot, Nazarbayev seemed concerned about the waning of US focus on Kazakhstan and stressed that it would be a mistake for the US to focus on one particular country (read Russia) at the expense of other states in the region.<sup>985</sup> He confirmed, however, that Kazakhstan will not follow the “Ukrainian path” and had already transferred 12 out of its 108 ICBMs from its territory.<sup>986</sup>

Talbot returned in September with a number of proposals, including an expanded package of economic assistance to Kazakhstan and an exchange of presidential visits.<sup>987</sup> The Kazakhs seemed to have been satisfied with American proposals and interpreted the diplomatic exchange as a sign of recognition by the US of Nazarbayev’s standing as one of the leading politicians in the region and Kazakhstan’s good relations with Russia as a stabilizing factor in the CIS.<sup>988</sup> In October 1993, Clinton’s Secretary of State Warren Christopher visited Almaty, as part of his tour of the former Soviet republics. Even though the framework agreement for the disbursement of the CTR technical assistance funds had been negotiated through the summer and initialed in September, Nazarbayev refused to sign it other than during a “high level US-Kazakhstan meeting.”<sup>989</sup>

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<sup>985</sup> “Minutes of the Meeting of President N. Nazarbayev with US Ambassador-at-Large S. Talbot,” June 8, 1993, Fond 75-N, Opis 1, Delo 440, Archive of the President of the Republic of Kazakhstan.

<sup>986</sup> Ibid.

<sup>987</sup> “Minutes of the Meeting of President N. Nazarbayev with US Ambassador-at-Large S. Talbot,” September 12, 1993, Fond 75-N, Opis 1, Delo 441, Archive of the President of the Republic of Kazakhstan.

<sup>988</sup> “Evaluation by the Ministry of Foreign Affairs of the Republic of Kazakhstan of the Visit of US Ambassador-at-Large S. Talbot to Almaty,” n.d., Fond 75-N, Opis 1, Delo 441, Archive of the President of the Republic of Kazakhstan.

<sup>989</sup> “Minutes of the Meeting of President Nazarbayev with U.S. Secretary of State Warren Christopher,” October 24, 1993, Fond 75-N, Opis 1, Delo 433, Archive of the President of the Republic of Kazakhstan.

Addressing the accession to the NPT, Nazarbayev stated that it provided a “weighty argument in favor of Kazakhstan’s security,” since Kazakhstan, as a state that voluntarily surrendered nuclear weapons could count on receiving US security guarantees and significant economic cooperation.<sup>990</sup> “The completion of these conditions gives Kazakhstani government a serious chance to persuade the parliament to ratify this Treaty.”<sup>991</sup> For his part, Secretary Christopher pledged increased aid for Kazakhstan.<sup>992</sup> President Clinton personally confirmed this pledge in a letter to Nazarbayev dated November 13, 1993, where he stated that the US side was keen “to discuss... steps to expand American investment in Kazakhstan, particularly in the energy sector,” signaling that the joint venture with Chevron concluded in April 1993 was only the beginning.<sup>993</sup>

In view of this renewed focus on the NPT and increased commitment from the US, Nazarbayev decided not to delay the ratification of the NPT any longer. Isinaliyev’s criticism of nuclear disarmament notwithstanding, Nazarbayev had no serious opposition to his nuclear decisions in the parliament. Indeed, it took the parliament only 5 days to consider the NPT after the day of its submission for ratification, and on December 13 the NPT was ratified unconditionally by the overwhelming majority with only 1 dissenting vote (perhaps it was Isinaliyev’s).<sup>994</sup> Nazarbayev’s mastery over his parliament is evidenced not only by the fact that the NPT was so quickly and unobjectionably passed through the Sovet but also that it was ratified on the date important for the President. The NPT vote was timed precisely to coincide with the visit of US Vice-President Al Gore to Kazakhstan, who was present in the Verkhovnyi Sovet hall during the ratification vote. Gore and Nazarbayev also signed the framework agreement for the CTR funds.

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<sup>990</sup> Ibid.

<sup>991</sup> Ibid.

<sup>992</sup> Skootsky, “An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994,” 79.

<sup>993</sup> “Letter of US President W. Clinton to President of the Republic of Kazakhstan N. Nazarbayev,” November 13, 1993, Fond 75-N, Opis 1, Delo 449, Archive of the President of the Republic of Kazakhstan.

<sup>994</sup> Cabinet of Ministers of the Republic of Kazakhstan, *Postanovlenie “O Vnesenii Na Ratifikatsiiu v Verkhovnyi Sovet Respubliki Kazakhstan Dogovora O Nerasprostraneniі Iadernogo Oruzhiia” [Resolution On Submission for Ratification to the Verkhovniy Sovet of the Republic of Kazakhstan of the Treaty on Nonproliferation of Nuclear Weapons]* N. 1223, 1993, [http://adilet.zan.kz/rus/docs/P930001223\\_](http://adilet.zan.kz/rus/docs/P930001223_); Skootsky, “An Annotated Chronology of Post-Soviet Nuclear Disarmament 1991-1994,” 82.

Kazakhstan's smooth and well-timed ratification of the NPT in December 1993 also coincided with the controversy raging around Ukraine's conditional ratification of START and its rejection of the Lisbon Protocol's clause obligating it to join the NPT as a NNWS. In a sharp contrast to Ukraine's politicians, throughout the intense negotiating period of summer-fall 1993 Nazarbayev refrained from making any statements about the nuclear status of Kazakhstan. Yet beyond that, the list of his demands for NPT accession and complete denuclearization was similar to that put forward by Ukraine: security guarantees, share of proceeds from HEU sales and broader political and economic engagement, including economic aid.

The comparison of Ukraine and Kazakhstan confirms that it was Ukraine's persistent demands to be recognized as a legitimate 'owner' of nuclear weapons, rather than difference of opinion on security commitments and compensation that most complicated its denuclearization process. In addition, Nazarbayev's skillful pragmatic approach to negotiations, his ability to work with Russia as well as his domination over his parliament made the denuclearization overall a more agreeable and consistent process than in Ukraine, which had a more plural and, arguably, more democratic political sphere.

In February 1994, Nazarbayev visited Washington again to meet with President Clinton in a much anticipated and publicized meeting during which he deposited the instruments of NPT ratification with the US as a depositary state. During that visit, Nazarbayev and Clinton signed the Charter of Democratic Partnership between the two countries, which contained US commitments to respect Kazakhstan's territorial integrity and inviolability of borders. Kazakhstan was also invited to participate in NATO's Partnership for Peace program.

At the news conference that followed, Clinton praised Kazakhstan for making a historic step which "sets an example for the entire world at a pivotal time for international nonproliferation



efforts” and “opens a bright new era” for the partnership between the US and Kazakhstan.<sup>995</sup> Clinton went on to announce a substantial increase in the aid package to Kazakhstan from \$91 to \$311 million for 1994.<sup>996</sup> For his part, Nazarbayev referred to Clinton’s understanding of Kazakhstan’s security interests, which, he stressed, were of exceptional importance to Kazakhstan in connection with its accession to the NPT as a NNWS.<sup>997</sup>

## Operation Sapphire

While the negotiations with the US and Russia on technical assistance, compensation for the fissile material from surrendered warheads, and security guarantees were the stuff of official and public discourse, the US and Kazakhstan came to engage in a clandestine cooperation on an unprecedented nuclear nonproliferation issue. In December 1993, the Kazakh government discreetly approached US Almaty Embassy personnel with the information that some 600 kilograms of weapons grade uranium-235 enriched to over 90% was stored at the Ulba Metallurgical Plant outside of the city of Ust’ Kamenogorsk in northern Kazakhstan.<sup>998</sup> What ensued was a secret US operation, codenamed Project Sapphire, closely coordinated with the Kazakh government to airlift the uranium from Kazakhstan to a nuclear processing facility at Oak Ridge National Laboratory in Tennessee. Throughout the fall of 1993, a team of scientists from Oak Ridge repackaged the uranium into transportable containers and in late November, the US Air Force flew two C-5 cargo airplanes to Ust’ Kamenogorsk and airlifted the HEU, for the value of which Kazakhstan was compensated around \$20 million from the CTR funds as well as in non-cash assistance.<sup>999</sup>

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<sup>995</sup> Office of the Federal Register, *Public Papers of the Presidents of the United States: William J. Clinton, 1994* (Washington, DC: Government Printing Office, 1995), 249.

<sup>996</sup> Ibid.

<sup>997</sup> Ibid., 249–250.

<sup>998</sup> David Hoffman, “How U.S. Removed Half a Ton of Uranium From Kazakhstan,” *The Washington Post*, September 21, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/09/20/AR2009092002881.html>.

<sup>999</sup> John A. Tirpak, “Project Sapphire,” *Air Force Magazine*, August 1995; William Potter, “The Changing Nuclear Threat: The ‘Sapphire’ File,” *Transitions Online*, November 17, 1995, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB491/docs/16%20->

It is unclear when and how the Kazakh authorities came into knowledge of this staggering amount of weapons grade fissile material on their territory, nor what might have been their initial reaction.<sup>1000</sup> The HEU was left over from the Soviet nuclear propulsion submarine project that was abandoned in 1980s and likely forgotten by Moscow.<sup>1001</sup> Throughout 1992 and early 1993, several reports appeared about a heightened Iranian interest toward the goods at the Ulba facility.<sup>1002</sup> Whatever the initial thinking of the Kazakh government had been, by mid-1993 it was decided to sell the uranium to the US. Both sides were keen to keep the issue of the uranium and its removal in the utmost secrecy, for Nazarbayev to avoid any domestic controversy and for the US to prevent the information leaking to black markets and possible proliferants before the arrangements to remove it were made.<sup>1003</sup>

Even though Kazakhstan did not possess indigenous warhead production facility, had it aspired a nuclear deterrent in earnest or if it was looking to profit from the find, this cache of weapons grade fissile material, sufficient to build dozens of nuclear warheads, would have been an invaluable asset. That Nazarbayev did not pursue this route but engaged in secret negotiations and fully cooperated with the US to have it removed from the Kazakh territory, is another testimony to the fact that by mid-1993 Kazakhstan's nuclear renunciation was a foregone conclusion. It also signaled that Kazakhstani government was serious in its commitment to the nonproliferation norm of the NPT when it came to the spread of nuclear capabilities to possible proliferants elsewhere.

As argued above, even during the height of contestation over Kazakhstan's nuclear status, Nazarbayev did not appear to consider an indigenous nuclear weapons program and if he did,

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%20The%20Changing%20Nuclear%20Threat.%20The%20Sapphire%20File,%20by%20William%20C.%20Potter,  
%2017%20November%201995-2.pdf.

<sup>1000</sup> Some accounts maintain that Kazakhstan had first tried to sell the uranium to Russia and the latter refused. See Potter, "The Changing Nuclear Threat: The 'Sapphire' File."

<sup>1001</sup> Ibid.

<sup>1002</sup> Indeed, US specialists found canisters at Ulba with Teheran addresses on them, most likely for transporting beryllium, another radioactive material used for manufacturing nuclear weapons. Ibid.

<sup>1003</sup> Hoffman, "How U.S. Removed Half a Ton of Uranium From Kazakhstan"; Potter, "The Changing Nuclear Threat: The 'Sapphire' File."

such considerations were abandoned fairly early in the process. The conscientious participation of the top Kazakhstani leadership and select specialists in Project Sapphire together with the US exposed Kazakhstani leadership to the practical realities of implementation and enforcement of the nuclear nonproliferation norm. The Iranian overtures underscored the global dimension of the nuclear proliferation, its complexities and risks. The joint US-Kazakhstani nonproliferation operation and its success served, on the one hand, to earn important international political capital for Kazakhstan vis-à-vis the US and, on the other, to socialize its leaders in the inner workings of the nonproliferation regime. Indeed, following the completion of the Project Sapphire, Minister of Science and New Technologies Vladimir Shkolnik, who presided over Kazakhstani nuclear industry, stated that the operation was not a random, one-time occurrence, but part of a broader Kazakhstani policy pursued on multiple levels.<sup>1004</sup>

## **Nuclear Disarmament and Beyond**

By June 1993, the strategic command of the CIS was disbanded: the Russian Ministry of Defense assumed operational control and command of all nuclear armaments, while JAF Commander Shaposhnikov was appointed to head the Russian Security Council. Although Nazarbayev did not favor this situation, the imperative to maintain robust military cooperation with Russia remained. On March 28, 1994, Nazarbayev signed the Treaty on military cooperation with Russia and the Agreement on the strategic nuclear forces deployed in Kazakhstan. In the Treaty, Kazakhstan acknowledged that strategic nuclear forces on its territory were under the jurisdiction of the Russian Federation.<sup>1005</sup> The Agreement on strategic forces and the attached schedule

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<sup>1004</sup> Referenced in Laumulin, "Political Aspects of Kazakhstan's Nuclear Policies," 85; Indeed, from 1996 to 2012 the US, Russian and Kazakh authorities cooperated in removing large amounts of plutonium from Kazakhstan. See: Eben Harrell and David Hoffman, *Plutonium Mountain. Inside the 17-Year Mission to Secure a Dangerous Legacy of Soviet Nuclear Testing*, Project on Managing the Atom (Cambridge, MA: Belfer Center for Science and International Affairs, August 2013), <http://nsarchive.gwu.edu/NunnLugar/2015/64.%202013.08.00%20Plutonium%20Mountain-Web.pdf>.

<sup>1005</sup> Verkhovnyi Sovet of the Republic of Kazakhstan, *Postanovleniie "O Ratifikatsii Dogovora Mezhdur Respublikoi Kazakhstan i Rossiiskoi Federatsiiei O Voennom Sotrudnichestve [Resolution On Ratification of the Treaty between the Republic of Kazakhstan and the Russian Federation on Military Cooperation]*, October 6, 1994, [http://adilet.zan.kz/rus/docs/B940003200\\_](http://adilet.zan.kz/rus/docs/B940003200_).

provided for complete dismantlement of the nuclear armaments in Kazakhstan and their transfer to Russia, all of which was to be carried out by the Russian military and specialists.<sup>1006</sup>

Both the documents conceded the right of Kazakhstan to be compensated for the value of the dismantled nuclear warheads. At the same time, the Agreement stated that “the Russian Federation and her Strategic nuclear forces shall guarantee the security of the Republic of Kazakhstan from the threat of nuclear attack.”<sup>1007</sup> This effectively created Russian extended deterrence relationship with Kazakhstan, and the agreements left open whether such relationship would endure only while the nuclear missiles remained in Kazakhstan or beyond that. Later on, this ambiguity would come into tension with the Kazakhstani initiative to create a nuclear-weapons-free zone in Central Asia.

Unlike the decision to join the NPT, the two agreements with Russia were reportedly hotly debated in the Kazakh parliament, yet ratified nevertheless in the fall of 1994.<sup>1008</sup> These military agreements were eventually augmented by a packet of further 17 documents in military and security sphere signed with Russia on January 20, 1995, including agreements on joint armed forces and common air defenses.<sup>1009</sup> Even though some differences between Russia and Kazakhstan continued to surface, in particular over the lease of the Baikonur spaceport, the dismantlement and removal of strategic nuclear missiles from the Kazakh territory, supported by the CTR funds, proceeded smoothly. By April 1995, the Russian military removed all nuclear warheads from Kazakhstan, and by August 1996 all SS-18 silos had been demolished.<sup>1010</sup> In May

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<sup>1006</sup> Verkhovnyi Sovet of the Republic of Kazakhstan, *Postanovleniie "O Ratifikatsii Soglasheniia Mezhdur Respublikoi Kazakhstan I Rossiiskoi Federatsiiei O Strategicheskikh Iadernykh Silakh, Vremennno Raspolozhenykh Na Territorii Respubliki Kazakhstan [Resolution On the Ratification of the Agreement between the Republic of Kazakhstan and the Russian Federation on Strategic Nuclear Forces, Temporarily Deployed on the Territory of the Republic of Kazakhstan]*, November 10, 1994, [http://adilet.zan.kz/rus/docs/B940004500\\_](http://adilet.zan.kz/rus/docs/B940004500_).

<sup>1007</sup> Ibid.

<sup>1008</sup> Laumulin, “Political Aspects of Kazakhstan’s Nuclear Policies,” 87.

<sup>1009</sup> Ibid.

<sup>1010</sup> Ibid., 90.

1995, exactly four years after it was placed there by the Soviet military, a nuclear charge at Semipalatinsk test site was also defused and removed.<sup>1011</sup>

In the end, Kazakhstan, Ukraine and Belarus all got the same deal with their demands addressed in a similar way by the US and Russia. Kazakhstan and Belarus did benefit from Ukraine's harder stance by obtaining written security commitments pledged in the Memorandum on security assurances signed on the sidelines of the CSCE summit in Budapest on December 5, 1994. However, Kazakhstan emerged from the process with an unscathed reputation, while Ukraine's denuclearization process left bitter traces on both sides.

Kazakhstan also found a way to reap considerable international political capital from its nuclear disarmament: it had proudly touted its decision to forgo nuclear weapons in international fora and consistently cooperated with the US and international organizations in nuclear nonproliferation, security and disarmament. As one analyst put it, nuclear disarmament and nonproliferation became the "trump card" of Kazakhstan's foreign policy since 1994.<sup>1012</sup> In 1997, Kazakhstan reinvigorated the initiative to create a Central Asian Nuclear Weapons Free Zone (CANWFZ), the fifth such zone in the world and an important contribution to the nonproliferation regime.<sup>1013</sup> In 2006, the five Central Asian states signed the Semipalatinsk Treaty creating CANWFZ and in 2009, it came into effect after all five signatories ratified it.

In February 2013, Kazakhstan hosted a round of negotiations between Iran and the P5+1 (China, France, Russia, the US, the UK and Germany) on Iran's nuclear program. In an op-ed in *Washington Times* commenting on the talks, Nazarbayev expressed understanding of Iran's

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<sup>1011</sup> Ibid.

<sup>1012</sup> Stephen F. Burgess and Togzhan Kassenova, "The Rollback States: South Africa and Kazakhstan," in *Slaying the Nuclear Dragon: Disarmament Dynamics in the Twenty-First Century*, ed. Tanya Ogilvie White and David Santoro (Athens, GA: University of Georgia Press, 2012), 102.

<sup>1013</sup> The other four NWFZs are the Latin American and Caribbean NWFZ created by the Treaty of Tlatelolco (1967), South Pacific NWFZ created by the Treaty of Rarotonga (1985), Southeast Asian NWFZ created by the Treaty of Bangkok (1995) and the African NWFZ created by the Treaty of Pelindaba (1996). In addition, international agreements have been concluded to keep the Antarctic, the Moon, the Outer Space and the Seabed nuclear-free. See United Nations Office for Disarmament Affairs, <http://www.un.org/disarmament/WMD/Nuclear/NWFZ.shtml>

security concerns, but presented Kazakhstan as a model for consistent commitment to nuclear disarmament.<sup>1014</sup> He stated that no other country could match Kazakhstan's achievement of voluntary denuclearization and recounted Kazakhstan's numerous contributions to the strengthening of the nuclear nonproliferation regime.<sup>1015</sup> "As an independent state, our position was clear: Kazakhstan should become a state free of nuclear weapons," Nazarbayev wrote.<sup>1016</sup> Unsurprisingly, Nazarbayev made no mention of his bid to fashion Kazakhstan as a 'temporary nuclear state' in the early days of its independence.

### **Conclusion: Kazakhstan and the NPT**

Like other Soviet nuclear successor states, Kazakhstan considered the fate of its nuclear inheritance concomitantly with formulating its nascent national security conception. Throughout the late 1980s and early 1990s, Kazakhstan, led by its life-long leader Nursultan Nazarbayev, had been laboring to maintain, albeit in a renewed form, a single nuclear superpower of which Kazakhstan would be a constituent and a willing part. The unexpected and quick turn of events in August and December 1991 yielded for Kazakhstan the independence it did not seek, as well as the problem of providing for its own security, with an ambiguous nuclear predicament to resolve. In an attempt to preserve common defenses and prevent Russia from monopolizing the military-strategic space place left behind by the Soviet Union, Kazakhstan attempted to partake in the collective nuclear status of the CIS. What came off as Kazakhstan's assertive nuclear stance from December 1991 to May 1992, including its claim to 'temporary' nuclear status was not the expression of Kazakhstan's indigenous nuclear ambition *per se*, but rather an attempt to shape the post-Soviet institutional settlement in such a way that would not leave Kazakhstan to provide for its own security independently. In a sense, a full autonomy in the military sphere was Kazakhstan's greatest security threat following the collapse of the Soviet Union.

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<sup>1014</sup> Nursultan Nazarbayev, "A Model for Curtailing Nuclear Proliferation," *The Washington Times*, April 5, 2013, <http://www.washingtontimes.com/news/2013/apr/5/a-model-for-curtailling-nuclear-proliferation/?page=all>.

<sup>1015</sup> Ibid.

<sup>1016</sup> Ibid.

Kazakhstan's leadership had very limited knowledge of the NPT when the country came into its nuclear inheritance at the end of 1991. As opposed to Ukraine and Belarus, who formulated a desire to become nonnuclear states and made attempts to join the international nonproliferation regime still in 1990, Kazakhstan made neither commitments on nuclear arms, nor overtures to the NPT. The significance of the NPT was brought to Kazakhstan's attention in its interaction with the West. The US unwavering stance that no new nuclear states should emerge as a result of the Soviet collapse and that all non-Russian nuclear successors should join the treaty as NNWS put Kazakhstan in front of a necessity to formulate its nuclear stance in relation to that treaty.

Like in Ukraine and Belarus, the process *normative reasoning* with the promoters of the nonproliferation norm hardly featured in Kazakhstani nuclear discourse. Yet the Kazakhstani government did not seem to challenge the main ethical premise of the norm, namely that the world would be more secure by preventing the spread of nuclear weapons to new possessors, nor did it side express the opposite position. Rather, the immediate considerations of national security in the rapidly changing and uncertain post-Soviet context took precedence over considerations of overall security in the wider world. Having said that, Kazakhstan's cooperation with the US on securing and removing fissile material such as Project Sapphire exposed Kazakhstani leadership to the dangers of nuclear proliferation and socialized it into the practical realities of preventing it, strengthening Kazakhstan's commitment to the nonproliferation regime beyond its disarmament in early 1993.

The potency of *normative match* as mechanism for nonproliferation norm adoption by Kazakhstan was surprisingly limited. Kazakhstan had suffered the adverse effects of the Cold War arms race first hand: hundreds of nuclear tests conducted at the Semipalatinsk nuclear test site by the Soviet military created devastating ecological and humanitarian effects and precipitated the emergence of a powerful anti-testing advocacy, Nevada-Semipalatinsk. Yet the anti-nuclear-

testing discourse framed the issue in the context of changing US-USSR relations as well as in the context of relationship between the Kazakh republic and the Moscow center, which was perceived as negligent of republic's interests. While the ban on nuclear testing is specifically addressed in the NPT, the Nevada-Semipalatinsk movement did not relate their advocacy to the NPT and the republic's accession to it either before or after the collapse of the Soviet Union. Unlike in Belarus yet similar to Ukraine, the popular anti-nuclear sentiment prior to these states' independence failed to translate into a strong advocacy in favor of nuclear renunciation and accession to the NPT. However, the symbol of Semipalatinsk and the anti-nuclear-testing discourse remained there to be used strategically by the Kazakhstani leadership to justify its nuclear renunciation and stave off criticism and opposition.

Yet the constitutive mechanisms of the NPT in Kazakhstan were more salient than its regulative effects. Because of the mere existence of the NPT and its role of outlining and guarding the *normative space* for nuclear possession, Kazakhstan's leadership had no choice but to relate its claims to that treaty and the categories contained therein. Like Ukraine's claim to nuclear ownership, Kazakhstan's claim to temporary nuclear status could not be reconciled with the very purposes of the NPT to prevent the emergence of new nuclear-armed states. The prospect of finding itself outside of this normative space, together with other proliferants and NPT violators, was even less attractive to Kazakhstan than to Ukraine, given the onus placed on Kazakhstan because of its Islamic identity and regional connections.

Like in Ukraine, this new in-between category of temporary nuclear possession was indeed conceived not to defy the nonproliferation regime but to reconcile Kazakhstan's predicament within the normative space outlined by the NPT. From the beginning, Kazakhstan framed its claim to nuclear status, temporary or otherwise, with the reference to the standard of legitimate nuclear possession outlined in the NPT, namely the explosion of a nuclear device by a state prior to 1967. Ultimately, however the new category of temporary nuclear state could not be



reconciled with the *normative grammar* of the NPT which had only provisions for ‘nuclear weapons states’ and ‘non-nuclear weapon states.’ Like Ukraine, Kazakhstan was ultimately unsuccessful in normalizing and legitimizing this new category of nuclear possession without finding itself of the bounds of the legitimate in international normative space governing nuclear possession.

The existence of the NPT not only outlined the standards of legitimate possession of nuclear weapons, it also *legitimized* the demands of Kazakhstan’s interlocutors that it accedes to the NPT as a NNWS and substantiated expectation of possible adverse consequences for noncompliance. Although the dialogue between Kazakhstan and the US did not deteriorate to the point where the US had to threaten sanctions or other coercive action should Kazakhstan refuse to join the NPT, it was made clear that US cooperation, assistance as well as overall acceptance of Kazakhstan into the Western-led international order was conditioned on its denuclearization. Thus, even with Kazakhstan’s limited knowledge of the international nonproliferation regime, the NPT nevertheless manifested itself in outlining the bounds of Kazakhstani nuclear discourse, the options available and unavailable to it and the standards of legitimacy which Kazakhstani leadership was ultimately unable to sidestep.

## Conclusion

The lack of proliferation of nuclear weapons, world's most potent military implements, has emerged as a major puzzle of post-WWII international politics. Concomitant with this pervasive nuclear abstinence is the emergence and endurance of the nuclear nonproliferation norm, formalized in the Treaty on Nuclear Non-Proliferation (NPT), which became the cornerstone for the world's most prominent and most widely adhered to arms control regime. The crux of this dissertation is exploring how nuclear restraint and the NPT are related by considering the cases of nuclear renunciation and NPT accession of three Soviet successor states – Belarus, Kazakhstan, and Ukraine – in the period from 1990 to 1994.

Much of the existing scholarship on nuclear decision-making has been skeptical about the importance of the NPT and its norms in world-wide nuclear restraint. A closer look at the nonproliferation literature reveals that the explanations and predictions about nuclear decision-making are inevitably colored by the metatheoretical commitments professed by their authors. Rationalist approaches are generally either dismissive of norms altogether or reify them as variables. Neorealists' assumption that the pursuit of power, defined in material terms, is the overriding state preference, relegates international norms and regimes to the realm of the epiphenomenal and is unable to explain the near-universal membership of the NPT regime or its endurance despite the shifts in the balance of power. Neoliberal institutionalists broach the discussion of international regimes as serving the instrumental purposes of states, such as the assurance that their neighbors will not obtain nuclear weapons. Sharing a systemic bias with neorealists, neoliberal institutionalists assume what supposed benefits drive states toward international regimes rather than derive them from domestic preferences of individual states. Scholars of domestic politics, on the other hand, problematize state preferences and explore a range of considerations beyond security that drive nuclear restraint, including political, technological, economic, and ideational factors. Yet by reifying ideational phenomena as

variables, rationalist scholarship is unable to account for how international norms influence preferences of states or how domestic preferences are implicated in international norm formation in the first place.

The constructivist paradigm, with its emphasis on intersubjectivity and social interaction offers a more suitable conceptual apparatus for exploring the workings international norms. Constructivists conceive of norms not as causal variables but as sets of shared expectations and prescriptions that guide the behavior of actors. Existing constructivist accounts by Maria Rost Rublee and Jacques Hymans explore the role of the nonproliferation norm and national identities, respectively, in decisions of nuclear restraint.<sup>1017</sup> The conclusions they arrive at are diametrically opposite: Rublee finds that the NPT provided systemic impetus that swayed the scales of nuclear decision-making in favor of restraint, while Hymans finds that the NPT was largely irrelevant to nuclear forbearance because national decision-makers with a certain identity type did not desire the things it prohibits. Importantly, because the two accounts choose either the international-systemic or the domestic-political points of departure, they suffer from similar blind spots as rationalist approaches.

This dissertation proposed to locate discourses about nuclear possession at the intersection of the international and the domestic political sphere. It embarks on a contextualized, inductive reconstruction of the divergent paths of Belarus, Kazakhstan, and Ukraine toward NPT accession and renunciation of the nuclear armament they inherited from the collapsed Soviet Union. To guide this empirical inquiry, the dissertation draws on constructivist scholarship to conceptualize a range of normative mechanisms through which norms can affect outcomes, in this case, decisions of nuclear restraint. These mechanisms include normative reasoning, normative match, delineation of normative space, allocation of the burden of proof, provision of normative grammar, and legitimation of enforcement.

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<sup>1017</sup> Rublee, *Nonproliferation Norms: Why States Choose Nuclear Restraint*; Hymans, *The Psychology of Nuclear Proliferation*.

This empirical inquiry reveals that scholars of domestic politics are correct to argue about the prominence of domestic political, economic and identity considerations in decisions of nuclear renunciations. Nuclear discourses in Belarus, Kazakhstan, and Ukraine were constitutive of their emerging national security narratives which linked the interpretations of their Soviet past with the imaginings of their sovereign future. Historical experience, identity narratives and divisions, economic considerations, and the domestic institutional arrangements that gave voice to some political forces but not others, all contributed to a variance in Ukrainian, Kazakhstani and Belarusian security narratives that accompanied their newly-found sovereignty. Indeed, the comparison of nuclear discourses in the three political contexts underscores the variety of post-Soviet national security narratives. These cannot be explained solely as a response to Russia's power defined in material terms, which would have been uniform for all and in relation to which all states defined their security, but to historically emergent meanings attributed to this power.

Nevertheless, nuclear possession is not the kind of military-security decision that can be negotiated solely within the domestic political or even immediate regional context. Deciding about nuclear weapons inevitably involves determining a nation's place in the world. To a greater degree than other military and defense matters, nuclear possession is embedded in a political and normative realm that straddles the domestic-international divide. This is in no small part due to the NPT, which makes nuclear possession a matter of international concern regardless of what domestic political leaders might think about the treaty's norms and their merits. Nuclear discourses in Belarus, Kazakhstan and Ukraine were no exception in this regard: determining the fate of their nuclear inheritance became constitutive of these states' establishing themselves as new sovereigns in the international system.

Belarus, Kazakhstan, and Ukraine were hard cases for the NPT. These former Soviet republics were not proliferators in the traditional sense. They did not proactively seek, in defiance of international norms, the weapons deployed on their territories. Rather, they came into a nuclear

inheritance as a result of the collapse of a nuclear superpower, the USSR, of which they had been constitutive parts. In all three former Soviet republics, actors came to believe that they had some sort of legitimate claim to these weapons as successor states of the USSR. Thus, the adoption by these states of the NPT and its norms had to be reconciled with the claims to be the rightful heirs to Soviet nuclear legacy. This conflict was most pronounced and sustained in Ukraine and least in Belarus, with Kazakhstan abandoning the contestation of the NPT early on in the process.

The dissertation finds that, counterintuitively, the salience of the NPT and the nonproliferation norm was most potent in the those cases that were most contested, namely, in Ukraine and in Kazakhstan. This may be simply an epistemological issue: researchers we cannot detect, test and analyze something that does not feature in the discourse, that is not rustled up, challenged and has to be argued for or against. Yet there may be a different, deeper significance to the normative contestation: its very presence in political discourse attests to the salience of norms as actors cannot side-step or ignore them but find themselves having to engage in terms of these norms. Below, I explore these thoughts in greater detail as I examine each of the normative mechanism outlined in Chapter 1 against the evidence uncovered in the three case studies.

**Normative reasoning.** On the whole, there is scant evidence that normative reasoning was an important factor in the nuclear renunciation of Belarus, Kazakhstan, and Ukraine. We find no evidence that actors in the three states directly challenged the main ethical principal of the nuclear nonproliferation norm, namely that the spread of nuclear weapons must be curbed in order to make the world a more secure place and had to be convinced by norm promoters otherwise. A diametrically countervailing argument to the nonproliferation norm would have sounded very much like that of Kenneth Waltz who argued that it was in fact the spread of nuclear weapons and preponderance of nuclear deterrence around the world that would be

conducive to peace and security in the world. No such arguments were made in the post-Soviet context.

Arguments made on the basis of national, rather than international security were not entirely inconsistent with the nonproliferation norm. In Ukraine, the overwhelming majority of actors who advocated the retention of a portion of nuclear weapons nevertheless viewed it as a temporary solution to Ukraine's political and security challenges. In Kazakhstan, the retention of nuclear weapons was considered either as part of the CIS nuclear arrangements or within a strategic alliance with Russia where the latter retained full operational control, a set up that would have been consistent with the NPT. Only Gen.-Maj. Volodymyr Tolubko in Ukraine advocated indefinite retention of nuclear arms as a nuclear deterrent, and dismissed the NPT altogether. However, much of the contestation in Ukraine and Kazakhstan was over *how* to disarm, rather than *whether* to disarm.

The ethical merits of the nonproliferation norm were not contested because they were largely taken for granted: it went without saying for norm promoters as well as norm adopters that nuclear disarmament was ultimately a good thing. Indeed, this understanding was internalized by the US, its Western allies and Russia, who treated any qualification of accession to the NPT by Ukraine and Kazakhstan as a threat to international peace and security. It was also internalized by the three non-Russian states, who sought international recognition and praise for denuclearization, each lauding their nuclear renunciation as a contribution to international peace and security.

**Normative match.** Belarus, Kazakhstan, and Ukraine are interesting cases for exploring the normative match mechanism because all of them had negative experiences with things nuclear before they faced the decision on nuclear renunciation. Both Ukraine and Belarus suffered from the 1986 accident at the Chernobyl nuclear power station, the worst civilian nuclear disaster in history yet, and hopefully, ever. Kazakhstan had endured decades of nuclear testing at

Semipalatinsk that created severe ecological and humanitarian consequences around the test site. Because of these historical experiences, all three, still as Soviet republics, developed popular anti-nuclear movements.

Yet only in the Belarusian case is there robust evidence that its adverse nuclear experience and Chernobyl-inspired nuclear aversion affected the adoption of the nuclear nonproliferation norm. The reason for this is two-fold: one, the social trauma of Chernobyl was more profound in Belarus than it was in Ukraine, affecting a greater proportion of the population and featuring more prominently in the republican political discourse leading up to its independence. In addition, it fit with the Belarusian narrative of being historically the hapless victim of other states' policies and transgression. The second reason was the great extent of institutional, political and ideational continuity between its Soviet experience, the immediate pre-independence period and its first few years as an independent state. This meant that Belarus had its own nuclear nonproliferation norm promoters domestically, including its foreign minister Pyotr Kravchanka and Speaker of the parliament Stanislau Shushkevich, while the political forces, such as the national-democrats, that could have potentially upset this continuity and challenged the nonproliferation norm on different grounds simply lacked sufficient voice to do so.

In Ukraine and Kazakhstan, however, the anti-nuclear discourses faded promptly in the wake of the Soviet collapse in favor of statist considerations of national security, although the latter was imagined quite differently in the two states. In Ukraine, the demise of the anti-nuclear movement was largely due to it being subsumed into the pro-independence discourse, which with the attainment of independence lost its *raison d'être*. In Kazakhstan, the anti-nuclear movement was under a patronage of the republic's President Nursultan Nazarbayev who possessed the political capacity to turn it on and off as he saw necessary. Although the symbols of Chernobyl and Semipalatinsk continued to feature in the popular memory and in public

discourse in Ukraine and Kazakhstan, they failed to translate into robust political movements in favor of denuclearization and NPT accession.

**Delineation of normative space.** In the cases post-Soviet nuclear renunciation, the significance of the NPT and its norms was to structure and guide nuclear discourses. The NPT guarded a separate normative space for nuclear possession and outlined criteria for legitimizing it. Even though Belarus, Kazakhstan, and Ukraine were not proliferators in the traditional sense, in that they did not proactively seek nuclear weapons but inherited them from their predecessor state, the mere fact that their predicament involved nuclear armaments put them into the normative territory governed by the NPT's norms and the rights, obligations, and categories they entailed.

Political actors in Belarus, Kazakhstan, and Ukraine, whose initial knowledge of the regime and its norms had been quite limited, found themselves incapable of engaging with their interlocutors other than in terms and categories of the NPT. Both Ukrainian and Kazakhstani politicians made attempts to frame the issue in terms of succession to the USSR, a NPT NWS, the status they believed they shared equally with Russia. Without the NPT, such claims would not have been untenable: indeed, the succession rights of non-Russian former Soviet republics to Soviet conventional weaponry was beyond dispute. Yet because the NPT existed, Belarus, Kazakhstan and Ukraine inadvertently became 'cases of' potential nuclear proliferation, a normative category governed by the NPT, and their actors had to relate their claims to the terms of that treaty.

Both Ukraine and Kazakhstan claimed that the NPT did not adequately address their status as contributors to the Soviet nuclear program and then successors of the USSR. Yet instead of dismissing the treaty as irrelevant or unfit for their situation, both the states attempted to reconcile their claims with the NPT: Ukraine did so by attempting to create a new category of nuclear 'ownership' as opposed to 'possession' per NPT, and Kazakhstan – by claiming



‘temporary’ nuclear status with a reference to the date of nuclear testing on Kazakh soil, an NPT criterion.

It may be argued that it was the prerogative of the US and Russia, which also happened to be NPT depositary states, to frame the post-Soviet nuclear predicament in terms of nuclear proliferation, and disregard arguments based on state succession norm or national security. It is true that the US and Russia, who have engaged in the NPT dialogue for decades, had been in collusion on the issue of getting Belarus, Kazakhstan, and Ukraine to denuclearize and join the NPT. Commitment to join the NPT was an explicit condition for granting diplomatic recognition to the newly independent states by the US and NATO allies. However, to consider a counterfactual, if the US, driven by a different security rationale, were more sympathetic to Ukraine’s and Kazakhstan’s arguments of entitlement to nuclear weapons as legal successors of the USSR, the US government would have faced the need to justify and substantiate domestically and internationally how such a position could be reconciled with the NPT and what precedent it would set for other states.

The constitution of the space outside of the regime also played a role in shaping the options post-Soviet states had to consider. In a sense, understanding what it means to be in the fold of the regime also entails understanding what it means to be left outside of it. In early 1990s, when the post-Soviet states were deciding their nuclear future, terms such as ‘pariah,’ ‘rogue,’ or ‘outlaw’ were in use by the US foreign policy establishment and internationally in relation to North Korea, Iraq, Iran and Libya because of their suspected noncompliance with the nonproliferation regime, all facing opprobrium and sanctions from the US and the international community.<sup>1018</sup> India and Pakistan would not declare their nuclear programs until 1998, and decision-makers in Kyiv and Almaty, had no reason to believe that they would be treated differently than other proliferators.

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<sup>1018</sup> Litwak, *Rogue States and U.S. Foreign Policy: Containment After the Cold War*, xiii.

That their newly sovereign states should join the ‘civilized’ world on good terms, as aspiring democracies and good international citizens, and not as ‘pariah’ states defying international rules and public opinion, was important for decision-makers in Minsk, Almaty, and Kyiv. The understanding that the refusal to denuclearize and join the NPT would bring about such undesirable status was not only a message they received with the US and Russia, their chief interlocutors in nuclear negotiations, but also from the broader international public sphere. For instance, decision-makers in both Ukraine and Kazakhstan paid close attention to international media reports casting their nuclear reservations in a negative light.

The NPT’s role as the sole standard of nuclear legitimacy persisted even despite the declaration by India and Pakistan in 1998 of their nuclear programs outside of the regime, since many countries, including the US, condemned and imposed sanctions on these proliferators. It is in this light that the dangers of the 2005 US-India Civil Nuclear agreement and the subsequent exemption granted to India by the Nuclear Suppliers Group are most visible: while it might have served the purposes of greater nuclear security, it certainly undermined the status of the NPT as the only legitimate space for nuclear possession.

**Allocation of the Burden of Proof.** Once the issue of Soviet nuclear arms landed in the normative territory of nuclear (non)proliferation and thus was considered in reference to the NPT’s purposes, categories and criteria, the burden of proof and justification for not conforming with these fell squarely on Belarus, Kazakhstan, and Ukraine. Thus, Ukraine’s diplomats found themselves compelled to explain why Ukraine’s claim to nuclear ownership and its decision not to establish operational control over nuclear armaments did not contradict the NPT. The Ukrainian Rada repeatedly upheld its commitment to the NPT, even at the time when the terms of such accession were being contested. Even those Ukrainian actors who were inclined to dismiss the NPT, like Volodymyr Tolubko and Dmytro Pavlychko, had to make a reference to the NPT and provide reasons for not joining it.

At the same time, it is worth noting that the burden of proof and justification levied by the international proliferation norm obtained mainly in the international sphere, whereas in domestic political contexts actors faced a different burden of proof, that of the national security imperative. Within the domestic nuclear discourses in Belarus, Kazakhstan and Ukraine, actors had to make arguments and justify NPT accession in terms of security threats and benefits to their nation's newly found sovereignty. In Ukraine, President Kravchuk and the foreign ministry, who were most favorably inclined toward nuclear disarmament and NPT accession, nevertheless felt obligated to substantiate it in terms of Ukraine's national security interests. While it remained debated whether nuclear weapons inherited by Ukraine and Kazakhstan were a security asset or a security liability, the national security imperative led Kyiv and Almaty to demand security guarantees from the NPT NWSs.

**Normative grammar.** Closely connected with the capacity of the NPT to outline and guard the normative space for nuclear possession was its capacity to discipline nuclear discourses through the specificity of language and categories contained within it. Despite the great variety of states and their relations to nuclear weapons in the world – some capable but unwilling to possess them, some incapable, some enjoying the protection of nuclear-armed alliance, some with nuclear arms deployed on their territory – the NPT provides but two categories: nuclear-weapons states and non-nuclear-weapons states. All of the world's complexities, every unique predicament has to be sorted into these two buckets.

A number of actors in Ukraine and Kazakhstan considered their states 'nuclear' by the very virtue that nuclear weapons were stationed on their territory. This was a positive fact that had to be reconciled with NPT's normative categories. As discussed above, as both Ukraine and Kazakhstan found themselves having to relate to the NPT, they argued that the category of the NNWS did not adequately recognize their contribution to the Soviet nuclear program and their status as Soviet successor states. Yet equally, they could not be recognized as NWSs without

defeating the purposes of the treaty and the very premise of the nonproliferation norm, that is, to prevent the spread of nuclear weapons to new states.

The importance of the NPT categories was most pertinent in the case of Ukraine, which attempted to side-step them by casting its claim to nuclear weapons in terms of ‘ownership’, rather than ‘possession’, meaning that it claimed them as assets, not as weapons. Yet, the international normative space guarded by the NPT contained no such category. Alone and unsupported in its efforts, Ukraine failed to get this category recognized and legitimized, although it did obtain some degree of recognition of the merits of ownership claim by receiving financial compensation for the surrendered fissile materials.

Beyond providing the normative categories, the NPT was further implicated in defining actors who became its members. In the most general sense, by the virtue of being an inter-national treaty it constituted its parties as sovereign states. For Ukraine and Belarus after their declarations of sovereignty, this capacity of the NPT was very important. In the grey area of self-proclaimed yet unrecognized sovereignty, a membership in a prominent arms control treaty would have become part and parcel of their constitution as fully-fledged sovereign agents. Furthermore, the NPT designated three depositary states: the US, the UK and the Soviet Union/Russia. This provided the US and Russia with an additional forum, the NPT depositary meetings, in which to coordinate their positions and discuss implications of the Soviet dissolution for the NPT. Their status as depositaries gave the US and Russia the prerogative to accept or reject instruments of ratification of the NPT and thus legitimized them as the guardians and gatekeepers of the international nonproliferation regime.

Normative grammar and the concomitant definition of actors within the regime was amplified by the fact that the nonproliferation norm was formalized in a treaty. Informal and uncoded norms may be implicated to a lesser extent in the definition of formal statuses of their promoters and adopters, thus making this normative mechanism less pronounced.

**Legitimation of Enforcement.** To say that the NPT outlined the normative space and criteria for nuclear possession is important precisely due to the fact that, at the time, this was the only criteria for legitimate and legitimized nuclear possession. Just as the nonproliferation norm gave rise to expectations that no new nuclear states should emerge, so the option to retain nuclear weapons outside of the regime gave rise to expectations that negative consequences should follow in respect of a state that defied the nonproliferation regime. Kazakhstan and Ukraine failed in their attempt to legitimize their respective claims to their nuclear inheritance as an exception based on the uniqueness of their predicament, rather than as an aberration to the nonproliferation regime worthy of sanctions.<sup>1019</sup>

It is undeniable that the US and Russia colluded to exert pressure on reluctant denuclearizers in Ukraine and Kazakhstan to get them to join the NPT. The US, in particular, applied a range of inducements, both positive and negative. Through CTR fund, it made technical assistance for denuclearization available directly to Belarus, Kazakhstan, and Ukraine. In addition, it held the promise of increased economic and political cooperation, as well as the threat of negative consequences such as withholding such cooperation and imposing international isolation in case of non-acquiescence to its demands. The effectiveness of these inducements relied in great part on the capacity and credibility of the US to muster and sustain an international coalition that would support the US in ostracizing and sanctioning the newly independent states if they decided against denuclearization and NPT membership. It seems that neither Kazakhstan's President Nazarbayev, nor Ukraine's foreign policy agents had any doubt in such US capacity. Additionally, Russia held the card of granting unconditional recognition of post-Soviet territorial settlement particularly in Ukraine and Kazakhstan, both as a matter of formal security assurances and informal support for separatist and Russian nationalist groups in Ukraine's Crimea and northern Kazakhstan.

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<sup>1019</sup> The only such exception that existed at the time and remains to this day is Israel, which had developed nuclear weapons prior to the conclusion of the NPT and had maintained a policy of nuclear 'opaqueness' that prevented it from having to openly define its status in respect to the NPT.

Yet, corroborating the argument of Richard Ned Lebow, the promise of rewards and the threat of sanctions were part of the interaction structured by the normative space of the NPT and the norms, categories, and definitions embedded within it.<sup>1020</sup> Thus, great power inducements came off not as arbitrary application of coercion or bribery, but as means of intelligible and legitimate promotion of the nonproliferation norm. As Dean Rust, director of the Bureau of Nuclear Proliferation at the US Department of State reflected:

In retrospect, it all sort of fell into place but only after a great deal of international pressure to conform the Soviet breakup to the principles of the NPT, i.e., no new nuclear weapon state beyond those indentified in the NPT should emerge. Russia inherited the Soviet Union's designation as a nuclear weapon state under the NPT and all other former Soviet republics became non nuclear weapon states and joined the NPT as such. Without the NPT, there would have been no established norm or principle behind which to rally the international community to prevent further proliferation.<sup>1021</sup>

It is likely that in a counterfactual world without the NPT and the normative backing it provided, the steadfast US and Russian pressure on Belarus, Kazakhstan and Ukraine may have sufficed to denuclearize them. Yet there is also a plausible argument that it could have backfired, given that the increase of the overt US pressure and the refusal to heed Ukraine's arguments had raised doubts that the US was acting justly and in good faith, increased the voice of denuclearization opponents and ultimately resulted in the redoubling on Ukraine's claim to nuclear ownership. Any demands of denuclearization by Russia, lacking reference to an international norm, would have been doubly suspicious and counterproductive, particularly in the Ukrainian context. Finally, without 'rally around the principle' effect of which Rust was speaking, the US and Russia may not have been able to get the extent of international support for their position: none of Ukraine's neighbors, except for Russia, considered a nuclear Ukraine a threat.

Norm-based accounts in IR have traditionally been pitched as alternatives to power-based explanations. My research, however, suggests that rather than juxtapose norms and state power

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<sup>1020</sup> Lebow, "Power, Persuasion and Justice," 553.

<sup>1021</sup> Dean Rust, "The Association of Diplomatic Studies and Training Foreign Affairs Oral History Project," interview by Charles Stuart Kennedy, December 6, 2006, 45, <http://www.adst.org/OH%20TOCs/Rust,%20Dean.toc.pdf>.

it is more productive to consider the two as engaged in constant interaction: whether in conflict, collusion or mutual constitution. Norms are not reducible to great power interests, yet they are not simply out there causing outcomes: norms rely on agents to construct, interpret and enforce them, agents besieged by power asymmetries. At the same time, states, including great powers, act not only *with* norms or *against* them, but also *within* a normative environment that provides a common frame of reference without which state power is stripped of its legitimacy and becomes brute force.

Overall, the dissertation finds that, through the range of normative mechanisms, the nonproliferation norm formalized in the NPT became an inextricable part of nuclear discourses of the Soviet successor states. While the broader NPT regime changed and evolved over the years, its core – the nonproliferation norm – remained unchanged, even though, with the demise of a nuclear superpower, the world in which it existed had undergone a radical change. It was a constitutive part of the international normative space into which the post-Soviet successor states were expected to and ultimately wanted to fit. To the extent that the NPT was implicated in morphing this changing and changed world in such a way that made it conform to its norms, categories, and criteria, the NPT can be said to have wielded power.

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