

April 30, 1993

**Letter, Boris Yeltsin, President of the Russian
Federation, to L.M. Kravchuk**

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Summary:

Boris Yeltsin writes to Kravchuk urging Ukraine to follow through with the implementation of START-1 as discussed per their negotiations in Moscow. He says that Russia will not recognize Ukraine's property right to nuclear weapons in Ukrainian territory and that Ukraine cannot use CIS structures to control its nuclear forces. To aid in the recycling of nuclear warheads in Ukraine, Yeltsin offers Russian assistance.

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PRESIDENT of the Russian Federation

April 30, 1993

No. Pr-638

Moscow

TO HIS EXCELLENCY

MR. KRAVCHUK LEONID MAKAROVICH

PRESIDENT OF UKRAINE

Kiev

Dear Leonid Makarovich!

I carefully familiarized myself with Your message of April 6 of this year regarding the issue of START-1 implementation and Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons. On the subject of issues you raised, I can relate the following.

I am closely following the progress of negotiations on the implementation of START-1, to which we agreed during the meeting in Moscow on April 15 of this year. These negotiations are meant to facilitate a settlement between Russia and Ukraine of all issues relating to the implementation of START-1, including the package of Lisbon agreements, thereby accelerating the process of real nuclear disarmament.

I will be frank: procrastination by Ukraine on the issue of ratification of START-1 and accession to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear state is alarming.

We are prepared to provide assistance to Ukraine in solving the emerging problems so far as this depends on Russia. Relevant norms of international law and existing mutual commitments between our countries, we are convinced, allow to do this quickly, effectively, and convincingly both for the public opinion in our countries and for the entire international community.

On July 6, 1992, You and I together with the heads of state of other CIS countries signed an agreement that recognized Russia as the only nuclear weapons state of the former USSR, and a depository of the Treaty on the Non-Proliferation of Nuclear Weapons.

We are talking about something that was stated earlier. Within the framework of the Lisbon agreements, Ukraine recorded specifically that "...the right and burden of possessing nuclear weapons of the former USSR, with the express approval of Ukraine and all other successor states of the former USSR, was relegated solely to the Russian Federation." The same legal basis is behind the Agreement on the withdrawal to Russia of nuclear warheads of both tactical and strategic weapons.

Importantly, not only have we achieved all those agreements, but also have already implemented them in practice in the part relating to the tactical nuclear weapons stockpiles located in Ukraine.

Obviously, in light of this Russia cannot recognize Ukraine's ownership rights to the nuclear weapons located on the Ukrainian territory, regardless of the way this right is formulated verbally. Such recognition would constitute a violation by Russia of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly in relation to its key obligation not to transfer to any party nuclear weapons, or other nuclear explosive

devices, or control over such weapons, or explosive devices, neither directly nor indirectly. For the same reason, we cannot agree to Ukraine's so-called administrative control of strategic nuclear forces located in Ukraine.

You are talking in your message about using CIS structures for the control of strategic nuclear forces. But let us be completely frank: Ukraine has not ratified even one of the relevant fundamental agreements. At the very least, this muddies the waters in relation to commitments of Ukraine pertaining to the CIS and the given issue. Not to mention that the CIS is not a state, which was underlined numerous time, including by You, and therefore it cannot possess nuclear weapons.

Such is the principled side of the matter. Nonetheless, considering the developing circumstances, Russia is ready to take a step toward Ukraine, as a goodwill gesture, with regard to the dismantlement of nuclear warheads of the strategic nuclear arms located on the territory of Ukraine and the use of the extracted nuclear materials as nuclear fuel for Ukrainian nuclear power plants. We transferred all relevant calculations and a draft proposal for this agreement to the Ukrainian side. I do not see obstacles to a speedy resolution of this issue.

We certainly agree with Your position on the importance of reaching an agreement, as written in the Article 2 of the Lisbon Protocol, on the limits and restrictions set forth by the START-1. Nevertheless, we rely on the commitment you gave in your letter to U.S. president G. Bush to guarantee the elimination of all strategic offensive arms on the territory of Ukraine within a seven-year period, as provided for by START-1 as well as by the totality of mutual commitments recorded in the Lisbon package of agreements. We sent relevant specific proposals to the Ukrainian Side in November 1992, however the delegation of Ukraine is still avoiding a substantive discussion of the presented documents and on its part has not proposed anything specific.

Wishing to quickly remove all concerns, including those of environmental character and in relation to nuclear weapons in Ukraine, I propose to You the following plan of action.

- The units of strategic nuclear forces on the territory of Ukraine to be disconnected from the centralized combat control system of strategic nuclear forces. In the shortest period of time (3-4 weeks), and flight assignments to be removed from all delivery vehicles.

- Within a year to a year and a half, all re-entry vehicles of the intercontinental ballistic missiles (ICBM), located on the territory of Ukraine, are detached, and by the end of 1994 the re-entry vehicles of ICBMs and their warheads are transferred according to a schedule, agreed with the Ukrainian Side, to central factory bases of the Russian Federation for the purpose of subsequent dismantlement and recycling.

- Nuclear warheads of long-range cruise missiles for heavy bombers deployed on the territory of Ukraine are placed on a lower level of combat readiness and transported to central factory bases in the Russian Federation in 1993 for the purpose of subsequent dismantlement.

I take this opportunity to add that if Ukraine has any difficulties in eliminating delivery vehicles of nuclear weapons (it seems to me that in relations to those our positions do not diverge), we are prepared, on the basis of bilateral agreements, to provide the most effective assistance in solving this problem, including an option to transfer to the territory of Russia both heavy bombers and intercontinental ballistic missiles.

Moreover, I would like to draw Your attention to the fact that I already approved the

"Agreement between the Russian Federation and Ukraine on the order to implementing warrantee and manufacturer maintenance over operating strategic missile complexes of the Strategic Forces, deployed on their territories," which had been prepared by our delegations. The agreement, in case of a positive decision from Your side, could be signed either at our level, or the level of prime ministers.

And finally. In relation to the issue You raised about the level of negotiations. I would like to note that the Russian delegation is working on the basis of my directives and reports about all aspects of progress in the negotiations process. In short, we do not see a reason to change the level of the Russian delegation.

I am giving the Russian delegation orders to continue negotiations along the lines of the abovementioned core positions. We would like for the negotiations to resume as soon as possible if, of course, You agree to this. If so, it is desirable that, before the next round of negotiations, the Russian Side receives in writing the Ukrainian version of proposals on all of our draft agreements.

Accept, dear Leonid Makarovich, assurances of my highest regard.

B. Yeltsin