AGREEMENT ON CONFIDENCE-BUILDING MEASURES RELATED TO SYSTEMS TO COUNTER BALLISTIC MISSILES OTHER THAN STRATEGIC BALLISTIC MISSILES

The States that have signed this Agreement, hereinafter referred to as the Parties,

Desiring to promote reciprocal openness, greater trust between the Parties, and the preservation of strategic stability,

Declaring their intention to implement, on a reciprocal basis, confidence-building measures with respect to systems to counter ballistic missiles other than strategic ballistic missiles,

Have agreed as follows:

I. General Provisions

1. Systems subject to this Agreement shall be: for the United States of America -- the Theater High-Altitude Area Defense (THAAD) System and the Navy Theater-Wide Theater Ballistic Missile Defense Program, known to the other Parties by the same names; for the Russian Federation -- the S-300V system, known to the United States of America as the SA-12 system; for the Republic of Belarus -- the S-300V system, known to the United States of America as the SA-12 system; for Ukraine -- the S-300V system, known to the United States of America as the SA-12 system; and other systems as agreed upon by the Parties in the future.

2. The Parties shall conduct an initial exchange of information and notifications, as provided for in this Agreement, no later than 90 days after entry into force of this Agreement, reflecting the status as of the date of its entry into force, and update this information annually, unless otherwise agreed. Information shall be updated reflecting the status as of January 1 of each year and provided no later than April 1 of each year.

II. Notifications

1. Each Party shall provide notifications to the other Parties of test ranges and other test areas where launches of interceptor missiles of systems subject to this Agreement will take place. Notifications of test ranges and other test areas
shall include the names of ranges (test areas) and their locations. Such notifications shall be provided either within 30 days after entry into force of this Agreement, or no later than 90 days in advance of the first launch of an interceptor missile of a system subject to this Agreement at each test range (test area).

2. Each Party shall provide notification to the other Parties of each launch of an interceptor missile of systems subject to this Agreement, if during that launch a ballistic target-missile is used. In this connection:

(a) an interceptor missile launch notification shall specify the name of the test range (test area) where the interceptor missile launch will take place; the type (designation) of the interceptor missile; the planned date of the interceptor missile launch; the planned launch point of the interceptor missile (geographic coordinates; for air-based systems the geographic coordinates of the projection of the planned launch point of the interceptor missile onto the Earth's surface shall be specified); the planned launch point of the ballistic target-missile (geographic coordinates);

(b) each interceptor missile launch notification shall be provided no later than 10 days in advance of the planned date of the interceptor missile launch and shall be effective for seven days beginning with the planned date of that launch; and

(c) if the launch of the interceptor missile will not occur or has not occurred within the specified 7-day period, the Party that planned to carry out the launch of the interceptor missile shall provide a notification thereof no later than 24 hours after the expiration of the 7-day period. Such a notification shall state that the interceptor missile launch has not occurred and shall either specify a new launch date, which will establish the beginning of a new 7-day period, or state that a notification of a new launch date will be made in accordance with the procedure specified in subparagraph (b) of this paragraph.

III. Demonstrations of Systems and Observations of Tests

Any Party may on a voluntary basis arrange, for any other Party or Parties, a demonstration of its systems or their components subject to this Agreement or an observation of their tests. In each specific case, the participating Parties shall agree in advance on the purpose of, and the arrangements for, such demonstrations and observations.

IV. Assurances
Each Party shall provide assurances that it will not deploy systems subject to this Agreement in numbers and locations so that these systems could pose a realistic threat to the strategic nuclear force of another Party. The measures used to provide such assurances shall include:

1. Each Party shall provide to the other Parties, in a form and scope as agreed upon by the Parties, an assessment of the programs with respect to the development, testing and deployment of ballistic missiles, other than strategic ballistic missiles, confronting that Party.

2. For each of its systems subject to this Agreement, each Party shall provide the following information:

   (a) the name, type (designation), and basing mode of the system as well as of its interceptor missiles, launchers, and associated radars;

   (b) the general concept of operation; the status of plans and programs; and, in addition, for systems in testing, the number of systems it plans to possess; the information shall be provided in a form and scope as agreed upon by the Parties;

   (c) the class and type of basing platform:

      (i) for land-based systems: the number of launchers in a battalion;

      (ii) for sea-based systems: the class and type of each ship, and the number of launchers on a ship of that class capable of launching interceptor missiles of each type;

      (iii) for air-based systems: the type of each aircraft, and the number of interceptor missiles each aircraft is capable of carrying;

   (d) the number of interceptor missiles of a fully loaded launcher.

3. For components of each of its systems subject to this Agreement, each Party shall provide the following information:

   (a) for a completely assembled interceptor missile: the number of stages, the length, the maximum diameter, the type of propellant
(solid or liquid), maximum velocity demonstrated during launches, and the length and diameter of the interceptor missile launch canister;

(b) for the interceptor missile launcher: the maximum number of interceptor missiles of a fully loaded launcher; and

(c) for the radar: the frequency band (in designations adopted by the International Telecommunication Union) and potential, expressed as a value that is not exceeded by the radar's potential. The potential of a radar shall mean the product of its mean emitted power in watts and its antenna area in square meters.

V. Additional Voluntary Measures

Each Party may provide on a voluntary basis any other information or any other notifications not specified elsewhere in this Agreement. The topics, amount, and time frame for such information and notifications shall be such as each Party determines.

VI. Implementation of the Agreement

1. To promote the objectives and implementation of the provisions of this Agreement, the Parties, within the framework of the Standing Consultative Commission established in accordance with the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, shall consider:

   (a) issues concerning implementation of the obligations assumed under this Agreement, as well as related situations which may be considered ambiguous; and

   (b) amendments to the provisions of this Agreement and other possible proposals on further increasing its viability.

2. The Parties shall use the Nuclear Risk Reduction Center channels or the equivalent government-to-government communications links for providing the notifications and for exchanging the information provided for in Sections II, IV and V of this Agreement.

VII. Confidentiality
Each Party undertakes not to release to the public the information provided pursuant to this Agreement except with the express consent of the Party that provided such information.

VIII. Entry into Force and Duration


DONE at New York City on September 26, 1997, in five copies, each in the English and Russian languages, both texts being equally authentic.

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