

THE NEW START TREATY AS A CONFIDENCE BUILDING MEASURE FOR THE PEACEFUL USES OF OUTER SPACE

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ABSTRACT: On 26 January 2011 the Russian Federation Council ratified the new Strategic Arms Reduction Treaty between Russia and the United States. The Treaty had already been signed by Russian President Medvedev and U.S. President Obama in April 2010, and ratified by the U.S. in December 2010. It follows the expired START I Treaty and establishes a ceiling of 1550 nuclear warheads for both signatories. This paper discusses the historic background of the bilateral strategic arms reduction treaties between the U.S. and the Russian Federation. The focal point of this paper is the impact of the New START Treaty as a confidence building measure on the peaceful uses of outer space. For that purpose the relationship between confidence building measures and treaty law are analysed.

1. HISTORIC BACKGROUND

In the perception of Greek philosopher Heraklit *war is the father of all things*.¹ But when government budgets are depleted for arms and defence spending, this may bring national resources to its limits. Political leaders can come into situations to decide between investments in national security or the economic development of their country. This was the case, when tsar Nicolas II wanted to modernize Russia with the late arrival of the

industrial revolution in his country, but he was faced with the strong armament programs of other European nations. By a diplomatic strive, he intended to launch an arms limitation agreement, one of the drivers for the Hague Peace Conference in 1899. This conference did not lead to arms limitations, but it became the seed of the modern law of armed conflict. Arms limitation agreements have remained rare and are typically used between superpowers to maintain a bilateral *status quo* of their levels of armament.

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During the Cold War, the U.S. and the Soviet Union entered into several bilateral agreements capping or eliminating the numbers of defined categories of weapons:

- The Strategic Arms Limitation Treaty I (SALT I) of 1972 was the first treaty to limit the number of strategic ballistic missiles² carrying nuclear warheads at the then existing levels of 1700 for the U.S. and 2300 for the Soviet Union.
- The Strategic Arms Limitation Treaty II (SALT II) of 1979 went a step further, by *reducing* for the first time the number of all types of nuclear carrier systems to 2250 on both sides and by banning new types of missiles.³
- The Anti-Ballistic Missile Treaty (ABM) of 1972 limited the number of launchers deployed for defending against incoming ballistic carriers to 100 for each side.⁴
- The Intermediate-Range Nuclear Forces Treaty (INF) of 1987 eliminated all land-based nuclear ballistic and cruise missiles with ranges of between 500 and 5500 kilometers.⁵

Following the collapse of the Soviet Union and the Warsaw Pact, the U.S. and Russia continued to agree on nuclear arms limitations, but in a more comprehensive way by addressing also the number of strategic nuclear warheads, which had exceeded 10,000 on each side:

- With the Strategic Arms Reduction Treaty I (START I) of 1991⁶ the U.S. and Russia reduced and limited their strategic offensive arms in phases,

reaching within seven years for each party the limits of 1600 deployed carrier systems and their launchers,⁷ 6000 warheads⁸ and an aggregate throw weight limit of 3600 metric tons. The treaty used double counting of carrier systems and warheads, a special counting methodology⁹ and determined comprehensive measure of mutual notification, monitoring and verification.¹⁰

- The Strategic Arms Reduction Treaty II (START II) signed 1993 followed the pattern of START I and called for a de-activation of land based ICBMs with Multiple Independent Re-entry Vehicles (MIRVs) and a further reduction of warheads to 3000 to 3500 for each of the parties. While the formal ratification of START II failed,¹¹ both sides complied with the key provisions and later on formalized their intentions of a further reduction of their nuclear arsenals by the SORT Treaty.
- The Strategic Offensive Reductions Treaty (SORT) of 2002 reduced and limited the number of strategic nuclear warheads even further, so that by 31 December 2012 the aggregate number of such warheads were intended not to exceed 1700 to 2200 for each party.¹²

2. THE NEW START TREATY

The New START Treaty¹³ follows the pattern of the START I and II treaties, but with significantly reduced upper limits for nuclear carrier systems and warheads. Within a period of seven years upon entry into force, the number of deployed ICBMs, SLBMs and

heavy bombers are to be reduced to 700¹⁴ and the number of warheads to 1550¹⁵ on each side. The element of throw weight, which was used in START I and II, is abandoned. The comprehensive notification, monitoring and verification regime is similar to START I and II, but adjusted to the new situation including the exchange of telemetry, to maintain a high level of transparency and confidence. The NEW START Treaty is concluded for ten years, and may be extended for no more than five years. It replaces and supersedes the SORT Treaty.¹⁶

The motivations for concluding the New START Treaty are manifold. Formally it is a continuation of a binding treaty with a comprehensive verification regime to continue START I, which had expired at the end of 2009. Its core purpose is nuclear disarmament, but not space or space weapons. It marks a turning point of U.S. nuclear weapons policy following the speech of U.S. President Obama in Prague on 8 April 2010 about the goal of a world free of nuclear weapons.¹⁷ Subsequently he signed with Russian President Medvedev the New START Treaty. Regardless of the officially declared purposes of the treaty, there are several side agendas on both sides, for example the attempt to reduce military spending and the modernization of arsenals. In that regard both parties tried to keep back doors open.¹⁸ An area of dispute was the impact of the New START Treaty on U.S. plans for an anti-ballistic missile system, which also led to complications in the ratification phase.¹⁹

Regardless of its intended scope for the reduction of nuclear arms, the New START Treaty can also serve as a confidence building

measure for space security. For this purpose confidence building measures need to be analysed in the context of (bilateral) treaties.

3. CONFIDENCE BUILDING MEASURES

3.1 What are confidence building measures?

The notion of confidence building measures is not a legal term. Confidence building measures can be attributed to all natural and legal persons, but in the context here it refers to acts of States. Thus this paper focuses on the meaning of confidence building measures in international and diplomatic relations. Confidence building measures are acts exercised by States (and international governmental organisations) through their official organs, typically their executive branch. One of the purposes of these acts is to create or enhance the confidence of other States (or organisations) in the seriousness of its intentions and future acts. Confidence building measures often cover aspects of international security, especially in regard to arms control, disarmament and human rights.

In its Comprehensive Study on Confidence Building Measures in 1982,²⁰ the United Nations Centre for Disarmament has refrained from a notional definition of confidence building measures. Using a functional approach it rather preferred to define their objectives as

... to strengthen international peace and security and to contribute to the development of confidence, better understanding and more stable relations between nations, thus creating and improving the conditions for fruitful international co-operation;

... to contribute to, reduce or, in some instances, even eliminate the causes for mistrust, fear, tensions and hostilities, all of which are significant factors in the continuation of the international arms build-up in various regions and, ultimately, also on a world-wide scale;

... to reduce the elements of fear and speculation in order to achieve a more accurate and more reliable reciprocal assessment of military activities and other matters pertaining to mutual security, which may cause mutual apprehensions and increase the danger of conflict.²¹

Based on these objectives, the study identified specific confidence building measures in different contexts.

Starting with Resolution 45/55B in 1990 the UN General Assembly reaffirmed *the importance of confidence building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space* and recognized *their applicability in the space environment under specific criteria yet to be defined ...*

More UNGA Resolutions on transparency and confidence building measures in outer space have followed,²² but the following surveys and studies have so far not led to a more precise definition or identification of confidence building measures for outer space.²³

Regardless of the approach and the current status in UN, the following attempt is made to define the typical notional attributes of confidence building measures as:

- A consistency of practice that demonstrates reliability of action and/or transparency that demonstrates predictability. Such consistent and

transparent acts can be understood as the objective element of confidence building measures. States may exercise such acts unilaterally, with the expectation that another State or States mirror the confidence building measures.

- On the subjective side, confidence building measures may be characterized as an anticipated token of confidence to stimulate trust by the State(s) addressed. They are not undertaken with the sense that a State is legally bound by such act.

For the further discussion of this paper, these defined attributes shall serve as a basis.

3.2 Can a bilateral treaty be a confidence building measure?

One of the main purposes of law is to make human behaviour predictable and to create confidence. But law has limitations. A treaty applies only *inter partes*, between the signatory States and covers only the subject matter specifically addressed. In the case of the New START Treaty, only the U.S. and Russia are bound. The New START Treaty is not a treaty on space security, but on weapons of mass destruction, more specifically on nuclear arms reduction. That it expressly relates to inter ballistic missiles (ICBMs) and sea launched ballistic missiles (SLBMs) has no direct legally binding effect on matters of space security. Land and sea launched *ballistic* missiles do not constitute space weapons, even though they may for a short duration traverse outer space. Being carried on *ballistic* missiles, the nuclear warheads do not reach or complete a full Earth orbit. They cannot be qualified as

nuclear weapons or weapons of mass destruction being placed in Earth orbit in accordance with Art. IV OST and thus do not fall under its prohibition. Regardless of these limitations in its legal scope, the New START Treaty indirectly reaches out to the international community and places a marker for the United Nations Conference on Disarmament and the ongoing efforts of finding consensus on a more precisely defined conduct on the peaceful uses of outer space.

4. THE IMPACT ON SPACE SECURITY

The principle of peaceful purposes of outer space as stated in Art. IV of the Outer Space Treaty (OST)²⁴ is the guiding concept of space security. Art. IV OST expressly prohibits weapons of mass and military bases, installations, fortifications, weapons testing, and military maneuvers on celestial bodies, and the stationing of weapons of mass destruction in earth orbit and outer space. But besides these specific prohibitions, the principle of peaceful purposes has remained vague. Contrary to the initial interpretation of the Soviet Union, which perceived this concept as non-military purposes, it is today commonly understood to mean non-aggressive purposes.²⁵ Attempts of the international community to further specify the principle of peaceful purposes in the United Nations Conference on Disarmament (UN CD) and more specifically through annually repeated UNGA Resolutions on the Prevention of an Arms Race in Outer Space (PAROS), have so far not progressed. From 2005 until 2008 the U.S. even rejected these annually recurring UNGA resolutions on PAROS.²⁶ Moreover a joint Sino-Russian treaty proposal on a ban of the placement of weapons in outer space

submitted to the UN CD was rejected by the U.S. (and other States).²⁷

Bearing in mind the U.S. position on the UN Conference on Disarmament, the New START Treaty marks an important turning point. It is clear that the New START Treaty does not relate to outer space or space weapons and by definition binds only two states. Yet it can serve as confidence building measure for space security, also for other States, for various reasons:

- The negotiation, signature and ratification of the New START Treaty serves as evidence of the U.S. to deviate from the unilateralism in international affairs, understood as one element of the so-called Bush doctrine. In international relations President W. Bush preferred to establish facts by unilateral acts, rather than to enter into international agreements, which are binding upon all signatories. This was done for the reason was that international agreements restrain the freedom of action of the U.S. The element of confidence building was taken out of the equation. Following the same line, the New START Treaty can also be seen as evidence of implementation of the 'Smart Power' approach by the U.S. State Department under Hillary Clinton.²⁸
- A stronger reliance on international cooperation and transparency is also supported by the new National Space Policy of the United States of 28 June 2010: International cooperation is to be enhanced through the development of transparency and confidence-building

measures.²⁹ The commitment to the New START Treaty, as a continuation of the former START and SORT, signifies the same spirit of international cooperation and transparency that forms part of the U.S. National Space Policy of 2010.

- Both, the U.S. and Russia are the two dominant players in space activities and nuclear arms. Their relations and conduct in regard to space affairs and weapons of mass destruction determines the international tone of all other actors. Consensus between the two dominant players, and be it on a small common denominator, makes a big difference as opposed to the dissent or intentional non-agreement, we have witnessed in recent years.
- Since the Sputnik shock in 1957, space technology and nuclear armament have been understood as intrinsically linked technologies used for strategic purposes. The doctrine of nuclear deterrent was built on the assumption that the major powers possess not only nuclear arms, but also the means to target any point of the planet using missile technology. Regardless of the commonly accepted interpretation that (nuclear) ballistic weapons do neither fall under the realm of space law, nor under the prohibition of Art. IV OST, any binding treaty instrument between the two dominant players which reduces nuclear arms and ballistic carriers has an impact on the level of confidence of other States in all other areas, where the two are dominant.
- The New START Treaty is a legally binding measure to prevent an arms race of nuclear weapons stationed on the ground. It actually goes beyond the mere preventive nature of a prohibition of an arms race, because it *reduces* the number of existing weapons. Given this nature, it can serve to support efforts of preventing an arms race in outer space.
- The entry into force of the New START Treaty, although bilateral, continues a traditions of both, the U.S. and Russia/Soviet Union, to commit to international instruments banning or limiting weapons of mass destruction, like the prohibition of chemical weapons,³⁰ biological weapons,³¹ the non-proliferation of nuclear weapons,³² and the Partial Nuclear Test Ban Treaty,³³ and the Environmental Modification Convention.³⁴
- In addition, the New START Treaty sends a strong signal that the U.S. and Russia strive to commit for binding measures in arms control, rather than avoiding to partake in internationally agreed measures, as both have in recent years, when they did not sign the Rome Statute³⁵ and the bans of cluster munitions³⁶ and anti personnel mines.³⁷
- The Russian Federation felt compelled to ratify the New START Treaty, despite the irritating signs of the U.S. Senate during the ratification procedure.³⁸
- The Prague speech of U.S. President Obama, just before the signature of the

New START Treaty on 8 April 2010 was an important signal and invitation to other States to reach out for a nuclear arms free world, as a long term goal. Similar wording is used in the Preamble.³⁹ Thus the New START Treaty is also intended to be used as a policy instrument beyond the legally binding force vis-à-vis the signatories. In addition, the comprehensive verification mechanisms of the New START Treaty can also be seen as a sign to other States that the signatories are serious about following up to their agreed commitments.

5. CONCLUSIONS

Confidence building measures are an important tool in international diplomacy and policy making in a phase preceding the conclusion of binding international instruments. In contrast thereto, the legal force of international agreements is limited to the parties and the subject matter. However, an international agreement can serve as a confidence building measure beyond these treaty law limitations. This requires that the signatories comply with the agreement and additionally use it as an anticipated token of confidence to stimulate the trust of other States to mirror the same practice. In this way, an international agreement may unfold as a confidence building measures in relation to other States and even beyond the subject matter of the international agreement. This is possible, because confidence building measures have no binding effect and are not as limited as treaties with legal force in regard to their *ratione personae* and *ratione materiae*.

The New START Treaty can serve as a confidence building measure for the peaceful uses of outer space, because it is embedded in a diplomatic and policy change of the U.S. It marks a departure from U.S. unilateralism. At the same time the U.S. and Russia as the two dominant States in the military and space sectors return to binding, transparent and verifiable measures of arms control and international security. The New START Treaty is in line with the U.S. National Space Policy of 2010, which relies stronger on international cooperation and confidence building measures for space security than the 2006 version of this policy. In addition, the New START Treaty is intended to have a stimulating effect on other States. Most important, both parties need to live up to their agreed commitments in a transparent manner for the New START Treaty to unfold its confidence building effects. This confidence may not only grow in the field of arms control, but also for the peaceful uses of outer space.

It is evident that both parties have side agendas, like the modernisation of their arsenal of conventional and nuclear weapons. The U.S. plans to establish an anti-ballistic missile systems remain a critical aspect. These projects can possibly disturb the implementation of the New START Treaty and its effect as a confidence building measure. However, both, the U.S. and Russia have a strong need of controlling their military expenditures in light of their strained state budgets. This is nothing new. The Hague Peace Conference of 1899 was triggered by similar national budget considerations, but over many years led to a comprehensive body of law, the so called Hague stream on the

means and methods of warfare. In recent years the number of space faring nations possessing nuclear arms has been increasing. As the dominating nations on these fields, the U.S. and Russia have the chance of leading the way in taking confidence building measures and

developing global policy and legal instruments. Regardless of side agendas, they can use the New START Treaty as leverage for confidence building measures beyond the reduction of nuclear arms and also for the peaceful uses of outer space.

- ¹ Today this quotation is often used in regard to the large number of technical innovations in the aerospace and nuclear sector during World War II.
- ² Intercontinental Ballistic Missiles (ICBM) and Sea-Launched Ballistic Missiles (SLBM).
- ³ Besides ICBMs and SLBM this included also strategic bomber aircraft.
- ⁴ The ABM Treaty was seen as a complementary measure to the SALT treaties to obtain a strategic balance not only through the limitation of the numbers of carrier systems, but also the maximum permissible number of defensive systems capable of eliminating them during an attack. The U.S. terminated the ABM treaty with effect of 2002.
- ⁵ The elimination of shorter range missiles and land based cruise missiles was undertaken for the purpose of maintaining a balance of strategic arms.
- ⁶ Treaty between the United States of America and the Union of Soviet Republics on the Reduction and Limitation of Strategic Offensive Arms, done at Moscow 31 July 1991. This Treaty expired at the end of 2009.
- ⁷ Carrier systems include Intercontinental Ballistic Missiles (ICBM), Sea-Launched Ballistic Missiles (SLBM) and heavy bomber aircraft. The limit of 1600 carrier systems includes another limit of 154 for deployed heavy ICBMs (Art. II 1. START).
- ⁸ The limit of 6000 warheads include a limit of 4900 attributed to deployed ICBMs and SLBMs, of 1100 attributed to deployed ICBMs on mobile launchers and of 1540 attributed to heavy ICBMs (Art. II 1. START).
- ⁹ Art. III START.
- ¹⁰ See Arts. VII to XV START and related Protocols.
- ¹¹ After the U.S. ratification of START II in 1996, the Russian Duma postponed ratification for various reasons until 2000, when it linked its ratification of SALT II to the demand that the U.S. continued to be bound by the ABM Treaty. With the U.S. termination of the ABM treaty, see footnote 4 above, START II never went formally into effect.
- ¹² These numbers of nuclear warheads stated in Art. 1 of SORT can be interpreted as a strategic limit superimposed on the limits agreed earlier through START. However, SORT is a short agreement and does not encompass the monitoring and verification mechanisms of START. Therefore under Art. 2 SORT the parties agreed that the START treaty remains in force in accordance with its terms.
- ¹³ The treaty consists of three integral and binding tiers of documents:
1. the Treaty Between the United States of America and the Russian Federation on Measure for the Further Reduction and Limitation of Strategic Offensive Arms;
 2. the Protocol to the Treaty Between the United States of America and the Russian Federation on Measure for the Further Reduction and Limitation of Strategic Offensive Arms;
 3. Technical Annexes to the Protocol on notifications and on inspection activities.
- ¹⁴ The number of deployed and non-deployed ICBMs, SLBMs and heavy bombers is limited to 800. This results in a number of 100 non-deployed carrier systems of each side, serving as spares, being in maintenance, etc. (Art. II 1. c New START).
- ¹⁵ The number of warheads reflect each re-entry vehicle emplaced on deployed ICBMs and SLBMs. Only warheads carried on-board heavy bombers generally count as one per bomber (Art. III 2. New START).
- ¹⁶ Art. XIV New START.
- ¹⁷ U.S. President Obama's speech in Prague on 08 April 2010, cited after the U.S. embassy in Prague <<http://prague.usembassy.gov/obama.html>>:
- '... as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act. We cannot succeed in this endeavor alone, but we can lead it, we can start it. So today, I state clearly and with conviction America's commitment to seek the peace and security of a world without nuclear weapons. ... First, the United States will take concrete steps towards a world without nuclear weapons. To put an end to Cold War thinking, we will reduce the role of nuclear weapons in our national security strategy, and urge others to do the same. ... To reduce our warheads and stockpiles, we will negotiate a new Strategic Arms Reduction Treaty with the Russians this year. ... To achieve a global ban on nuclear testing, my administration will immediately and aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty. And to cut off the building blocks needed for a bomb, the United States will seek a new treaty that verifiably ends the production of fissile materials intended for use in state nuclear weapons. Second, together we will strengthen the Nuclear Non-Proliferation Treaty as a basis for cooperation. The basic bargain is sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy. To strengthen the treaty, we should embrace several principles. We need more resources and authority to strengthen international inspections. We need real and immediate consequences for countries caught breaking the rules or trying to leave the treaty without cause. ...'

- ¹⁸ See for example Art. II 2. New START: 'Each party shall have the right to determine for itself the composition and structure of its offensive arms' and Art. V.1.: '... modernization and replacement of strategic offensive arms may be carried out'.
- ¹⁹ It was key for the U.S that the New START Treaty does not limit the testing, development or deployment of current or planned U.S. missile defence programs. Therefore the U.S. added a legally non-binding resolution to its ratification, which is understood as the U.S. interpretation of the New START Treaty on these related aspects. In response thereto the Duma added a resolution to the Russian ratification stating their interpretation, see U.S. Senate, *New START Treaty Resolution of Advice and Consent to Ratification*, <www.state.gov/documents/organization/154123.pdf> see also Sokov, *New Start Ratification in Russia: Apparent Smooth Sailing Obscures Submerged Drama and Revelations* <http://cns.miis.edu/stories/110125_russia_new_start_ratification.htm>
- ²⁰ Department of Political and Security Council Affairs , United Nations Centre for Disarmament , Report of the Secretary-General , *Comprehensive Study on Confidence Building Measures*, 1982 A36/474
- ²¹ *Ibid*, secs. 24, 25, 29.
- ²² E.g. UNGA Res. 60/66, 61/75, 62/43, 64/49, 65/68.
- ²³ In regard to transparency and confidence building measures for outer space often reference is made to the initiatives of the Sino-Russian draft for a treaty banning space weapons (PPWT- see infra footnote 27), to the draft Code of Conduct proposed by the European Union in 2010 (Council of the European Union, 17175/08, 17 December 2008) and to Canadian initiative in the UNCD in 2009 (Working Paper: On the merits of certain draft transparency and confidence-building measures and treaty proposals for space security, UNCD 1865). At the moment none of these instruments could be finally agreed on. It appears that the (non-binding) European CoC could be the most likely instrument of choice for space faring nations, if they find consensus at all. Expert panels will meet in 2012 on the basis of UNGA Res. 65/68 for identifying transparency and confidence building measures for outer space.
- ²⁴ Outer Space Treaty = Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, of 27 January 1967, 18 U.S.T. 2410, T.I.A.S. 6347, 610 U.N.T.S. 205 (effective 10 October 1967).
- ²⁵ For a short introduction to this subject matter, see e.g. Diederiks-Verschoor / Kopal, *An Introduction to Space Law*, 3rd ed. 2008, pp. 135-145, with more details Schrogl / Neumann in *Cologne Commentary on Space Law*, 2009, Comment on Art. IV OST.
- ²⁶ Each year since 1981, the UN General Assembly has been passing a resolution on the prevention of an arms race in outer space (PAROS) starting with UNGA Res. 36/97. The resolutions are of similar content and call "upon all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation." For many years, the U.S. has not voted in favour of these UNGA Res., but abstained. From 2005 until 2008 (UNGA Res. 60/54, 61/58, 62/20, 63/40) the U.S. voted against this resolutions, and since 2009 it has abstained again (UNGA Res. 64/28, 65/44).
- ²⁷ The Chinese-Russian draft Treaty on the Prevention of Weapons in Outer Space, the Threat or Use of Force Against Outer Space Objects (PPWT), see UN CD D/1839, 23 February 2008; see also the conference report of the CD 2008, CD/1853, 9 September 2008; and the conference report 'Security in Space: The Next Generation' on behalf of UNIDIR, CD/1844, 23 June 2008. For the U.S. rejection, see UN CD/1847, 26 August 2008.
- ²⁸ In her confirmation hearing before the U.S. Senate Hillary Clinton confirmed on 13 January 2009 announced her smart power policy as: "We must use what has been called 'smart power,' the full range of tools at our disposal -- diplomatic, economic, military, political, legal, and cultural -- picking the right tool, or combination of tools, for each situation. With smart power, diplomacy will be the vanguard of foreign policy." <<http://www.cbsnews.com/stories/2009/01/13/politics/main4718044.shtml>>
- ²⁹ National Space Policy of the United States of 28 June 2010, Intersector Guidelines, International Cooperation: 'The United States will pursue bilateral and multilateral transparency and confidence-building measures to encourage responsible actions in, and the peaceful use of, space. The United States will consider proposals and concepts for arms control measures if they are equitable, effectively verifiable, and enhance the national security of the United States and its allies.'
- ³⁰ Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) of 03 September 1992, in force since 29 April 1997.
- ³¹ Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972, in force since 26 March 1975.
- ³² Treaty on Non-proliferation of Nuclear Weapons of 01 July 1968, in force since 05 March 1970.
- ³³ Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water (Partial Nuclear Test Ban Treaty) of 05 August 1963, in force since 10 October 1963.

- ³⁴ Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques of 18 May 1977, in force since 5 October 1978.
- ³⁵ Rome Statute of the International Criminal Court of 17 July 1998, in force since July 2002.
- ³⁶ Convention on Cluster Munitions of 30 May 2008, in force since 01 August 2010.
- ³⁷ Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction of 18 September 1997, in force since 01 March 1997.
- ³⁸ See footnote 19 supra.
- ³⁹ Preamble of the New START Treaty: 'Expressing strong support for on-going global efforts in non-proliferation', 'Taking into account the positive effect on the world situation of the significant, verifiable reduction in nuclear arsenals at the turn of the 21st century'.