

January 26, 1993

Speech by the Head of Delegation of Ukraine Y. I. Kostenko at the Opening of Negotiations with the Russian Federation on the Elimination of Nuclear Weapons

Citation:

"Speech by the Head of Delegation of Ukraine Y. I. Kostenko at the Opening of Negotiations with the Russian Federation on the Elimination of Nuclear Weapons", January 26, 1993, Wilson Center Digital Archive, Archive of the Ministry of Foreign Affairs of Ukraine, fond 1, delo 7063. Obtained by Mariana Budjeryn and translated by Volodymyr Valkov. <https://digitalarchive.wilsoncenter.org/document/144982>

Summary:

At the opening of negotiations with Russia on the elimination of nuclear weapons from Ukraine, Kostenko discusses Ukraine's main concerns: ensuring reliable operation and storage of nuclear warheads in Ukraine until their liquidation, maintaining the Armed Forces of the CIS' control over the operation of Ukraine's nuclear arms, and the recognition that all weapons on Ukrainian territory or removed to Russia after independence belong to Ukraine which will determine how and where to safely dismantle them.

Credits:

This document was made possible with support from Carnegie Corporation of New York (CCNY)

Original Language:

Russian

Contents:

Translation - English

SPEECH

by the head of delegation of Ukraine Y. I. Kostenko
At the opening of negotiations with the Russian Federation
On the elimination of nuclear weapons

Mr. Ambassador,

Negotiations that are opening today here in Irpin' on a host of issues concerning nuclear arms, those still deployed in Ukraine as well as those removed from its territory into the Russian Federal for dismantling and elimination, are destined to become an important and, we hope, a turning point in building productive cooperation in one of the most delicate and important areas in relations between Ukraine and the Russian Federation.

The Presidents, heads of government, and parliaments of our states are expecting positive, weighty results from us. For Ukraine, a special significance of these negotiations is conditioned by the fact that they will be taking place against a backdrop of hearings in the Verkhovna Rada of Ukraine on the ratification of the START treaty and the Lisbon Protocol, and on the accession of Ukraine to the Treaty on the Non-Proliferation of Nuclear Weapons.

It should be underscored that many of the issues that the Ukrainian side will be raising in the course of the present negotiations, are sharply debated during the deliberations of the aforementioned treaties in the commissions and dedicated working group of the Verkhovna Rada of Ukraine. Overall, it would not be an overstatement to say that a great deal depends on the outcome of our work.

With regard to the subject of our negotiations, the Ukrainian side considers it necessary to focus on reviewing the following issues:

1. On nuclear safety of the Strategic Nuclear Forces.
2. On the status of the Strategic Nuclear Forces.
3. On elimination of strategic offensive arms.

We proceed from an understanding that it is in our common interest to build the negotiation process in such a way that it proceeds from the relatively straightforward and simple technical questions, which, however, require immediate attention, moves on to the rather complex military-political and economic problems. Therefore, we consider that during the first stage of negotiations our primary task should be the fastest settlement of issues that ensure nuclear safety of the Strategic Nuclear Forces deployed in Ukraine.

1. On nuclear safety of the Strategic Nuclear Arms.

The issue of ensuring safe operation and storage of nuclear warheads on the territory of Ukraine up until their elimination not only causes serious concern among the relevant specialists, who are directly involved, but also seriously alarms the political leadership of Ukraine.

So far, the substance and genuine scale of the threat, which Ukraine is facing as a result of an artificially created problem of maintaining nuclear safety of the Strategic Nuclear Forces on its territory, have not become known to the wider political circles and the public of Ukraine. This problem should be resolved as soon as possible lest it should cause another injury to the people still suffering the wounds inflicted by Chernobyl.

The essence of the problem is that for many months now the relevant units of the Strategic Nuclear Forces on the territory of Ukraine have not received from Russia the spare parts necessary for ensuring the safe operation of nuclear warheads. We are at a point when a real threat of nuclear safety of a considerable number of warheads is starting to emerge. This factor is now being used by the same people, who had been deliberately disrupting regular procedures for ensuring nuclear safety as an instrument of pressure and blackmail against Ukraine.

This is not the kind of method that will help solve any problems, especially in an exceptionally sensitive nuclear area.

We suggest discussing this issue of nuclear safety as a priority without linking it to other issues. In saying this, we rest on the fact that Ukraine and the Russian Federation are equally interested in ensuring nuclear safety.

We specifically suggest concluding a bilateral agreement on a comprehensive warranty and manufacturer maintenance of the strategic nuclear assets, scientific-technical servicing of nuclear warheads, temporarily deployed in Ukraine, and on joint material-technical support of the Strategic Nuclear Forces.

2. On the status of Strategic Nuclear Forces

The Armed Forces of Ukraine are not part of the Armed Forces of the CIS, however, for the purpose of preserving international strategic stability, Ukraine has agreed, in accordance with the Alma-Ata and Minsk agreements, to preserve the Joint Command of the Strategic Nuclear Forces of the CIS and a unified control of nuclear arms. For this reason, we regard attempts by the Russian Federation to subordinate the Strategic Nuclear Forces deployed on the territory of Ukraine as unacceptable.

We consider such attempts a violation of concluded agreements. This puts Ukraine before a difficult choice: we do not have the intention to take over the operational command of the Strategic Nuclear Forces deployed on our territory, however, as a matter of principle, we cannot agree to the direct subordination of any armed forces on the territory of Ukraine to a foreign state.

We are convinced that, in accordance with the concluded CIS agreements, the preservation of the operational subordination of the Strategic Nuclear Forces under the Joint Command of the Strategic Nuclear Forces of the CIS for the transitional period until the elimination of the nuclear weapons deployed in Ukraine, corresponds to the interests of both Ukraine and Russia.

The Ukrainian side is ready to discuss with the delegation of the Russian Federation opportunities of a mutually acceptable compromise on this issue, which would include the following main elements:

- The Strategic Nuclear Forces on the territory of Ukraine to be kept under the operational command of the Strategic Nuclear Forces of the CIS, while the operational supervision of these forces would be performed by the Ministry of Defense of Ukraine. We are prepared to discuss with you the opportunity to determine a special status of the nuclear-technical units in order to give the Russian side confidence that Ukraine does not have direct access to nuclear warheads. We, in particular, are prepared to consider the possibility that a limited number of positions, directly connected to the technical servicing of nuclear warheads, would be filled by military servicemen who, after the elimination of nuclear weapons, intend (and would receive appropriate guarantees to this effect) to continue their military service in the Russian Federation.

- Concluded an agreement on the establishment of a system of control for the purpose of preventing unauthorized use of strategic offensive arms deployed on the territory of Ukraine.

The key element of our proposed compromise should become a mutually acceptable decision on the differentiation of operational and administrative direction of the Strategic Nuclear Forces, located on the territory of Ukraine. Such differentiation should be based on the following principles:

- operational supervision over these forces with regard to the technical servicing of nuclear warheads and ensuring nuclear safety is implemented by a single center of command for all of Strategic Nuclear Forces,

- Personnel changes, implementation and financing of those activities (including material-technical support), for which the operational command of the Strategic Nuclear Forces bear primarily responsibility, should be decided together with the Ministry of Defense of Ukraine,

- the Ministry of Defense of Ukraine is responsible for equipping the Strategic Nuclear Forces with personnel, material-technical supply of the Strategic Nuclear Forces based on agreed standards of equipment and materials, addressing social problems, monetary payments to military servicemen, etc.

3. On the reduction and elimination of strategic offensive arms.

The most important aspect of reducing and eliminating strategic offensive arms is the issue of further use of nuclear components of warheads of the strategic offensive arms deployed in Ukraine, and the tactical nuclear missiles removed from the territory of Ukraine earlier.

I am authorized to declare that Ukraine's position on this issue is as follows.

First. The property of the Armed Forces of the former Soviet Union, located in Ukraine at the time of the attainment of independence, including all property of the Strategic Nuclear Forces, belongs to Ukraine. This property includes, specifically, the physical components of nuclear warheads of strategic missiles currently deployed in Ukraine, as well as the warheads of tactical nuclear missiles, which had been transferred from Ukraine to Russia in the spring of 1992 for dismantlement and elimination.

Second. Such position of Ukraine does not mean that Ukraine intends to obtain control over the nuclear warheads in a sense that would contradict the Treaty on the Non-Proliferation of Nuclear Weapons. Ukraine has delegated the right to use these arms to the Joint Command of the Strategic Nuclear Forces of the CIS. As you know, it has agreed that the nuclear weapons deployed on its territory are placed under the operational control of the Joint Command of the Strategic Nuclear Forces of the CIS.

Third. Ukraine neither directly nor indirectly controls nuclear warheads of the Strategic Forces and does not intend to control them. However, Ukraine proceeds from the understanding that from a legal standpoint all physical components of the warheads are its property. Based on its property rights to these warheads, Ukraine intends to keep their nuclear components after dismantlement, having beforehand reduced their enrichment level to allow for their use as nuclear power plant fuel and excludes a possibility of further using them to create nuclear weapons.

Fourth. Ukraine has not decided where exactly the dismantlement of nuclear warheads and recycling of weapons-grade uranium and plutonium are going to take

place.

From the point of view of ensuring the most economically and environmentally safe implementation of these processes, the best option would be to carry out these operations at the facilities of Ministry of Atomic Energy of Russia, where the warheads were manufactured. Ukraine would be prepared to pay for the dismantlement and recycling, but on condition that all final nuclear material would be returned to Ukraine in the physical form of a fuel for Ukrainian nuclear power plants or as in the form of a compensation from its sale to third countries. This also applies to nuclear materials extracted from warheads of tactical missiles, removed from Ukraine earlier. To this end, Ukraine is ready to conclude an appropriate agreement with Russia.

If such an agreement with Russia cannot be reached, then Ukraine would have to look for other solutions, including a construction of an appropriate facility on its territory. This does not rule out the possibility of inviting specialists from nuclear states under an appropriate license to work in the most sensitive areas.

Fifth. Such position of Ukraine corresponds to the requirements of the Treaty on the Non-Proliferation of Nuclear Weapons and START. The latter does not define where and how exactly the nuclear warheads should be eliminated, and Ukraine, accordingly, can decide on this issue the way it sees fit.

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The instructions, which the delegation of Ukraine had received from its government, allow us to conduct negotiations constructively. We intend to search for specific solutions to existing problems and hope that the Russian Federation has also brought along flexible directives and willingness to search for mutually acceptable decisions.

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