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**Letter to Gorbachev from Shevardnadze, Yazov, and
Kamentsev on Obligations for Military Assistance**

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Summary:

In this letter, Shevardnadze, Yazov, and Kamentsev discuss the Soviet Union's obligations to provide military assistance to their treaty partners, and the differences between treaties.

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to Cde. M. S. GORBACHEV

We submit the following ideas in connection with your 27 January 1989 instruction about the note of Cde. V. V. Zagladin regarding the USSR's obligations to give military assistance to foreign countries, including in extraordinary circumstances.

Military and political circumstances, also including obligations to give military assistance in extraordinary circumstances, are contained in the provisions of the Warsaw Pact, in bilateral treaties of friendship, cooperation, and mutual assistance between the USSR and the countries of the Warsaw Pact, and [with] three other socialist countries (the DPRK, MNR, and SRV), and also in the Treaty of Friendship, Cooperation, and Mutual Assistance with Finland.

It ought to be borne in mind that extraordinary circumstances, which can involve giving military assistance, can be understood only as circumstances connected with an external threat, that is such situations as when there is a need to exercise the right to individual or collective self-defense in accordance with Article 51 of the UN Charter. Domestic situations in countries with which we are tied by these treaties are not included in the category of extraordinary circumstances and accordingly do not require us to take any measures in connection with our treaty obligations. It is true that two treaties, with the CSSR and the GDR, contain provisions about the defense of the socialist achievements of the peoples, which are interpreted in the West as confirmation of the right to collective defense of socialism both from an external as well as internal threat, even as far as the use of military force. However, this language has a quite general nature and does not envision obligatory military assistance.

Our obligations per the Warsaw Pact and the bilateral agreements with allied countries occupy a central place in the system of military and political obligations of the USSR. The provision of military assistance in these treaties is directly provided for only in the event of armed attack. It follows from the text of the Warsaw Pact that in the event of an armed attack on one or several of its members any other allied country essentially decides for itself the nature of the assistance furnished. The corresponding clause is flexible and excludes automatic action in the provision of military assistance. This is comparable to the US obligations per the North Atlantic Treaty. In all the bilateral treaties the obligation concerning assistance has a more definite character, envisioning the "immediate furnishing of any assistance, including military".

As regards the other socialist countries, then the obligation to give military assistance, including the use of our armed forces, is provided only in the Soviet-Korean Treaty of Friendship, Cooperation, and Mutual Assistance. Considering the situation in the Korean peninsula and the peculiarities of the policy of the present DPRK leadership in the international arena it cannot be excluded that in certain conditions the clauses of the Soviet-Korean Treaty might be used by the DPRK to draw the USSR into a conflict. In such an event [we] ought to proceed from [the position] that our actions to fulfill the obligations ensuing from this Treaty ought to first be qualified by the specific situation and the reasons the conflict arose.

The USSR's treaties with the MNR and DRV do not contain clauses requiring the immediate provision of military aid, although they allow a broad interpretation giving a justification for our actions to ensure the security, independence, and territorial integrity of these countries.

The Soviet Union's furnishing of military aid to Finland according to the 1948 Treaty is not automatic and envisions the achievement of additional agreements.

The majority of treaties of friendship and cooperation with friendly developing countries (Angola, Afghanistan, India, Iraq, Mozambique, the Congo, the PDRY [People's Democratic Republic of Yemen], Syria, and Ethiopia) provide a consultative mechanism for cases where situations have arisen which create a threat to peace or a violation of the peace with the goal of the agreement on or the coordination of the positions of the sides in the interests of the elimination of the threat which has arisen or the restoration of the peace. Their wording on this account ought to be qualified not as vague or yielding to different interpretations, but as giving both sides the opportunity to choose a broad circle of resources in concert compatible with other existing obligations, and first of all with the provisions of the UN Charter. Here it is first and foremost important that our treaty partner alone does not have any legitimate grounds to use the bilateral documents with us without our participation to involve the USSR in actions causing damage to our country.

In these terms the 26 February 1921 Treaty between the RSFSR and Iran occupies a special place among the USSR's treaties with developing countries. Articles 5 and 6 of this Treaty reflected the desire of the Soviet state to reliably ensure its security during this period against any armed interference from the territory of Iran and to not allow this country to be turned into "a base for military actions against Russia". In this connection the right of the Soviet side was stipulated to temporarily introduce troops into the territory of Iran for self-defense in extraordinary situations. In 1941 a temporary introduction of troops into the territory of Iran was performed using this provision.

In 1979 the Iranian side unilaterally declared the abrogation of these articles of the 1921 Treaty. Our side did not give a response to these actions by Iran. Moreover at the present time in the context of obligations according to the UN Charter, in particular according to its Article 51, these articles have actually lost [their] previous importance and, moreover, can be considered as contradicting a number of principles and norms of modern international law in force.

An important part of our obligations to give military assistance to foreign countries is [our] obligations to strengthen the defense capabilities of these countries. These obligations are realized in accordance with inter-governmental agreements which provide [for]: the performance of deliveries of weapons and military equipment to equip national armies; the provision of technical assistance for the production of weapons according to Soviet licenses, and also in the creation of facilities with a military purpose; the assignment to friendly countries of Soviet military advisers and specialists; the training of national military personnel in higher educational institutions of the USSR Ministry of Defense; the holding of military exercises and live fire exercises at Soviet test ranges by units of friendly armies, etc.

Along with this Soviet naval aviation uses the airfields on the territory of these countries in accordance with inter-governmental agreements (the SRG, Ethiopia, and the PDRY) or so-called verbal agreements with the leadership of a number of countries (Cuba, Syria, and Libya). In addition, there are Soviet air transport subunits to perform support missions in the interests of the armed forces in Angola, Vietnam, Mozambique, and Ethiopia and a helicopter detachment in Syria. In some countries Soviet Navy ship- and air-based logistical support points have been created (the SRV, Ethiopia, Angola, and Syria). No obligations to use the combat formations and units of the Soviet armed forces in extraordinary circumstances, including our ships and aircraft based in foreign countries, are contained in the aforementioned agreements or arrangements.

Agreements to supply weapons occupy a special place in the system of our obligations regarding military and technical cooperation from the point of view of their influence on international relations. Although these agreements cannot involve the Soviet Union in an armed conflict in and of themselves, in a number of cases they are factors contributing to a dangerous development of the strategic military

situation in a particular region or an aggravation of the military-political situation on the whole.

Such a situation can arise in the event of the deliveries of the most dangerous offensive weapons and military equipment - ballistic missiles, and also the transfer of the technology of their production, nuclear submarines, which can accelerate an arms race to a qualitatively higher level, provoke other countries to take retaliatory measures, and lead to a dangerous, destabilizing situation fraught with conflict.

In connection with the new initiatives presented at the UN by the USSR concerning the fastest possible stabilization of the situation in the world it would be advisable to look again at our responsibilities concerning military and technical cooperation with India in its creation of its own submarines with nuclear power plants.

One would think that only a monitoring system for the decisions adopted which was specially created for these purposes, and for the conclusion and observance of the corresponding treaties and agreements by the USSR Supreme Soviet might become a reliable guarantee of the adoption of the most optimal decisions regarding the deliveries of combat equipment, much less the furnishing of military assistance to foreign countries. Only the maintenance of a legislative database for the implementation of the provisions of military-technical cooperation can guarantee us from involvement in conflicts undermining our interests and security.

[We] might proceed from the following on the basis of the above considerations:

1. The provisions of the Warsaw Pact affecting the provision of military assistance are suitable to the present situation in the world and do not require any changes to them.

As concerns the bilateral treaties the USSR has with allied countries then, although the obligations contained in them have been worded more rigidly or allow an undesirable interpretation for us, it seems untimely for us to display initiative about their modification [or] a reexamination of the treaties, considering the difficulties being experienced by these countries which are undergoing complex processes in them. Such an initiative might lead to a weakening of allied relations, play into the hands of centrifugal tendencies in the commonwealth, and promote the destabilization of the situation in a number of countries.

Of course, in the event that an allied country raises the question of reexamining a bilateral treaty itself, as is happening right now with the NRB [People's Republic of Bulgaria], work can be pursued to clarify its provisions, but without harm to the allied obligations contained in it.

2. Treaties of friendship, cooperation, and mutual assistance with other socialist countries, with the exception of the DPRK, do not contain provisions to give them any direct military assistance in the event of aggression against them and in and of themselves cannot be a cause of the USSR's involvement in an armed conflict. As regards the Treaty with the DPRK, then in the event of the danger of an outbreak of a similar conflict on the Korean Peninsula we ought to be guided by a policy of settling it with the aid of political means and not allow the USSR to be drawn into a solution of the problem by military means.

3. The Soviet Union's existing treaties with developing countries allows our policy to be pursued with sufficient flexibility in crisis situations and to avoid involvement in possible conflicts.

4. Considering that the provisions of Articles 5 and 6 of the 1921 Soviet-Iranian Treaty

have a content not meeting current international realities, and their use is in practice impossible and politically undesirable, but the lack of our agreement to their annulment creates a negative background for the development of good-neighborly relations, the question of the desirability of changing our attitude toward these articles or the Treaty as a whole could be examined at a suitable time.

5. When determining the nature and amount of cooperation with friendly countries in the military and technical field it is advisable to proceed from the priority of the foreign policy interests of the USSR and the principle of reasonable sufficiency for the defense of these countries. Obviously military and technical cooperation ought to be continued, however it needs to be implemented on the basis of clear and rational criteria. In quantitative terms our assistance should not lead to the overarmament of our friends compared to their neighbors. In qualitative terms [we] ought to refrain from the supply of weapons and military equipment having great destructive power and capable of indiscriminate effect, most of all ballistic missiles, submarines with nuclear power plants, and also such kinds of weapons which might exert a negative influence on the strategic situation in the region. Such deliveries or the leasing of several types of military equipment are all the more impermissible in conditions when other countries of the corresponding regions do not have such weapons or equipment. Evidently, our long-term programs of military and technical cooperation with other countries ought to be assessed more closely, primarily with those such as India and the DPRK. At the same time [we] ought to actively seek to begin negotiations on the limitation on the sale of weapons in the world, especially the most destabilizing kinds.

In the area of organizing the production of weapons and military equipment in friendly countries on Soviet licenses direct efforts toward the regulation of such aid. When doing so consider the political and economic advisability of concluding such agreements, as a rule implementing them on commercial terms. It is also necessary to increase the monitoring of the non-transfer of special equipment received from the USSR, and the licenses for its production by our partners to third countries without the agreement of the Soviet side. Tighten the requirements of the provisions affecting this issue when preparing the corresponding draft agreements.

6. As regards the idea expressed by Cde. V. V. Zagladin about privately discussing with the American side particular obligations to give military aid to allies, in our view it seems questionable.

First, the US, will most likely inform its allies about such a discussion. It cannot act otherwise, especially after the 1986 meeting in Reykjavik, which caused a vigorous negative reaction from the US allies, and this reaction still "has not gone away".

Second, in the conditions of an unavoidable disclosure we will also seem to our allies as if we were plotting with the Americans behind their backs with respect to our obligations to our allies. The political effect would probably be negative.

It would seem that the most realistic and strongest guarantee that the conflicts which arise in the world do not lead to a confrontation between the USSR and the USSR is a confirmation of the practice which is developing of a constructive approach to a settlement of the specific problems in various regions of the world which exist and are arising, and also the positive development of the Soviet-American dialog.

7. It is advisable to develop and establish a mechanism guaranteeing the reliable monitoring by the USSR Supreme Soviet of the appropriateness of the decisions being adopted, of the conclusion and observation of treaties and agreements about military cooperation with foreign countries, and also of the use of the Soviet armed forces outside the USSR.

In the event that you agree with the ideas and conclusions presented they will be taken into consideration when preparing the concept of military cooperation with foreign countries (non-socialist) which are to be submitted to the CPSU CC by the appropriate agencies by 31 March 1989.

At this stage it would also be advisable in terms of the further elaboration of the issues which have been raised that the CPSU CC give the following assignments to the appropriate ministries and agencies:

- comprehensively assess the amount of our obligations for technical aid to India in the construction of nuclear submarines. Submit ideas concerning this issue to the CPSU CC within two months (the USSR Council of Ministers' State Commission on Military Industrial Issues, the Ministry of Medium Machine Building, and the Ministry of the Shipbuilding Industry together with the Ministry of Defense and in coordination with the USSR MFA). Until the completion of this consideration refrain from informing the Indian side of the 11 March 1988 decision about the possibility of us supplying India with the technology of nuclear power plants for submarines;

- develop proposals concerning the adoption of laws regulating the use of the USSR Armed Forces outside its territory (the USSR Ministry of Justice together with the USSR Ministry of Defense, the USSR MFA, and the USSR KGB with the participation of the USSR Academy of Sciences (IGPAN) [the USSR Academy of Sciences' Institute of State and Law];

- develop proposals concerning the adoption of laws providing for the USSR Supreme Soviet to monitor the conclusion of international treaties by the USSR in the area of furnishing military aid to foreign countries (the USSR Ministry of Justice together with the USSR MVEhS [Ministry of Foreign Economic Relations], the USSR KGB, and the USSR Ministry of Defense with the participation of the USSR Academy of Sciences (IGPAN)).

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