



Foreign and Commonwealth Office

London SW1A 2AH

13 May 1985

Prime Minister

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Dear Charles.

SDI and ABM Treaty

In her discussion at Bonn with Chancellor Kohl, the Prime Minister emphasised that SDI research must be conducted within the framework of the ABM Treaty; and that if it came to deployment, that too must be negotiated under the Treaty. You will wish to know that at the end of last month the Pentagon released a major new statement on the SDI, which included an appendix specifically directed at the issue of US compliance with the Treaty in conducting the SDI research programme. A summary of this appendix is enclosed.

In short, the report lists 15 projected tests within the programme, and emphasises the US belief that all can be conducted in full compliance with the Treaty, on one or more of the following counts:

- (i) that the tests will be conducted entirely in laboratories; or
- (ii) that they will not reach ABM performance levels; or
- (iii) that they will involve components which as they stand are not prototypes of ABM components; or
- (iv) that they will involve components which are not capable of substituting for ABM components; or
- (v) that they are permissible under the terms of the ABM Treaty as it applies to fixed, land-based ABM components.

You will recall that in my letter of 28 February I drew attention to the possibility that the US interpretation of what is permissible in terms of testing under the ABM Treaty might be used to justify steps along the BMD road that would appear to run counter to the President's repeated assertion that only research was involved, and to his determination to reverse the erosion of the ABM Treaty. It is therefore valuable to have this comprehensive and detailed statement of the US position. Nonetheless, as the Pentagon report confirms, there are special difficulties inherent in the grey areas of the ABM Treaty, and public concern can be expected to focus upon the interpretation of these, on both the US and the Soviet side. Such concern will not be allayed by the statement in the same report that the US reserves 'the right to respond to (Soviet) violations in appropriate ways, some of which may eventually bear on the Treaty constraints as they apply to the US'.

/ As foreseen ...

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As foreseen in my earlier letter, these issues were raised by the UK team at the regular politico-military bilateral talks last week in Washington. US officials were unable to add anything to the statements in the DOD report. But it will be important to continue this dialogue. The Russians will certainly be looking keenly for any alibi to justify similar action on their part.

I am sending a copy of this letter to Richard Mottram (Ministry of Defence), and to Richard Hatfield and Christopher Mallaby (Cabinet Office).

Yours ever,

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SDI AND THE ABM TREATY: SUMMARY OF APPENDIX B OF PENTAGON REPORT,
APRIL 1985

1. The SDI research programme is fully consistent with US Treaty obligations.
2. In view of the Treaty's grey areas, special care is required to ensure compliance. In reviewing US obligations four key principles apply:
 - (a) objective assessments of capabilities, not intentions, are required. There can be no double standards;
 - (b) research is permissible on ABM systems or components which falls short of field testing;
 - (c) new technologies should not be subjected to stricter standards than those applied to existing systems; and
 - (d) ABM Treaty limits are not applicable to non-strategic (ie. tactical) ballistic or cruise missiles.
3. The US reserves the right to respond to Soviet violations of the Treaty in appropriate ways, some of which may eventually bear on the Treaty constraints as they apply to the US.
4. The overall assessment is that SDI research can be conducted in a manner fully compliant with the Treaty, but that development and deployment would most certainly require modification of the Treaty.

5. The process of ensuring compliance is the responsibility of the Under Secretary in the DOD for research, development and engineering, in consultation with DOD lawyers.

6. Three categories of relevant tests can be identified:

(i) conceptual designs and laboratory testing;

(ii) field tests of non-ABM components or prototypes of components;

(iii) field tests of fixed, land-based ABM components.

7. Ten projected tests fall into categories (i) and (ii) above, and five tests into category (iii).

8. The ten tests are justified on the grounds that they involve testing either in laboratories; or below ABM performance levels, or of components which as they stand are not prototypes of ABM components; or of components which are not capable of substituting for the latter. The five tests are justified on the grounds that they are permissible under the ABM Treaty and will be conducted in compliance with the provisions of that Treaty.

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