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**ADHERENCE TO AND COMPLIANCE  
WITH  
ARMS CONTROL, NONPROLIFERATION,  
AND  
DISARMAMENT AGREEMENTS  
AND COMMITMENTS**



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# **ADHERENCE TO AND COMPLIANCE WITH ARMS CONTROL, NONPROLIFERATION, AND DISARMAMENT AGREEMENTS AND COMMITMENTS**

## **INTRODUCTION**

### **PURPOSE**

This Report is submitted pursuant to Section 403 of the Arms Control and Disarmament Act, as amended (22 U.S.C. 2593a), which requires a report by the President on *Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments*.

### **SCOPE OF THE REPORT**

This Report assesses U.S. adherence in 2014 to obligations undertaken in arms control, nonproliferation, and disarmament agreements and related commitments, including Confidence- and Security-Building Measures (CSBMs), as well as the adherence in 2014 of other nations to obligations undertaken in arms control, nonproliferation, and disarmament agreements and related commitments, including CSBMs and the Missile Technology Control Regime, to which the United States is a participating state. The issues addressed in this Report primarily reflect activities from January 1, 2014 through December 31, 2014, unless otherwise noted.<sup>1</sup>

### **ADHERENCE TO AGREEMENTS**

Arms control, disarmament, and nonproliferation agreements and related commitments continue to be important tools to enhance and advance the security of the United States, our allies, and partners. Their provisions serve to provide

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<sup>1</sup> In this Report, previous editions of the Report are cited by their year of release unless otherwise noted. For example, the previous edition of the Report was released in 2014 and primarily reflected activities from January 1, 2013 through December 31, 2013. But, there have been some exceptions to that general practice. For example, the edition released in 2011 primarily reflected activities from January 1, 2009 through December 31, 2010, and the edition released in 2010 primarily reflected activities from January 2004 through December 2008.

insight and transparency into the actions of the participating states, but also, more broadly, contribute to greater transparency and stability on a global and regional scale.

Effective arms control requires countries to comply fully with arms control obligations and commitments they have undertaken. In evaluating any country's compliance with its arms control, disarmament, and nonproliferation obligations and commitments, the United States considers a variety of factors. These include the nature and precise language of the obligations undertaken in the context of international law, information regarding the country's activities (including that acquired by National Technical Means of Verification, cooperative verification measures, open source information, and diplomatic means), and any information provided by the country. Many questions relating to compliance involve matters of interpretation; many also involve highly sensitive information and sources and methods. For these reasons, it may take significant time to assess whether the actions or activities that gave rise to our questions constitute violations or simply differences in implementation approaches. When questions arise regarding the actions of our treaty partners, we seek, whenever possible, to address our concerns through diplomatic engagement. However, in the event that we determine that the actions of concern constitute treaty violations, we also have a range of options and means to convince violators that it is in their interest to return to compliance and to prevent violators from benefitting from their violations.

For the arms control, nonproliferation, and disarmament agreements and commitments to which the United States is a participating state, the United States and the majority of the other participating nations are adhering to their obligations and commitments and have indicated their intention to continue doing so. This Report indicates that there are compliance questions and in some instances, determinations of treaty violations, involving a relatively small number of countries. The United States continues to pursue resolution of those compliance issues, where appropriate.

**U.S. Organizations and Programs to Evaluate and Ensure Treaty Compliance.** Both our deep-seated legal traditions and our belief in the importance of arms control agreements to enhance our security and that of our allies and friends create powerful incentives for the United States to comply with our obligations. As a reflection of the seriousness with which we view these commitments, the United States has established legal and institutional procedures

to ensure U.S. compliance. Individual agencies within the Executive Branch have established policies and procedures to ensure that plans and programs under those agencies' purview remain consistent with U.S. international obligations. For example, U.S. Department of Defense (DoD) compliance review groups oversee and manage DoD compliance with arms control, nonproliferation, and disarmament agreements and related commitments, including CSBMs. Additionally, the U.S. State Department, in its role as the lead U.S. agency on arms control matters, provides policy advice and expertise related to compliance to individual agencies and the interagency community. Further, an interagency review is conducted in appropriate cases, including when other treaty parties officially raise questions regarding U.S. implementation of its obligations. Finally, Congress performs oversight functions through committee hearings and budget allocations.

## **OVERVIEW**

This Report addresses U.S. compliance with arms control, nonproliferation, and disarmament agreements and commitments (Part I), compliance by Russia and other successor states of the Soviet Union with treaties that the United States concluded bilaterally with the Soviet Union or its successor states (Part II), compliance by countries that are parties to multilateral agreements and commitments with the United States (Part III), and compliance with commitments made less formally but that bear directly upon arms control, nonproliferation, or disarmament issues (Part IV).



# **PART I: U.S. COMPLIANCE WITH ARMS CONTROL, NONPROLIFERATION, AND DISARMAMENT AGREEMENTS AND COMMITMENTS**

## **U.S. INSTITUTIONAL AND PROCEDURAL ORGANIZATION FOR ENSURING COMPLIANCE**

There are processes and controls within the U.S. executive branch, including at the Department of Defense (DoD), the Department of Energy (DOE), the Department of Homeland Security (DHS), the Commerce Department, and the Nuclear Regulatory Commission, that operate to ensure that plans and programs under those agencies' purview remain consistent with U.S. international obligations. Additionally, the U.S. State Department, in its role as the lead U.S. agency on arms control matters, provides policy advice and expertise related to compliance to individual agencies and the interagency community. These processes and controls operate in parallel, and in addition to the Congressional oversight process.

In 1972, the DoD established the first such department-level process. Under this compliance process (established at the conclusion of the Strategic Arms Limitation Talks (SALT) that led to arms control-related agreements on strategic offensive arms), key offices in DoD are responsible for overseeing DoD compliance with all U.S. arms control, nonproliferation, and disarmament agreements and commitments, including Confidence- and Security-Building Measures (CSBMs). DoD components ensure that their implementing program offices adhere to DoD compliance directives and seek guidance from the offices charged with oversight responsibility. Similar processes have been established by other agencies to ensure that their programs and activities comply with U.S. international obligations and commitments. Interagency reviews also are conducted in appropriate cases, such as when other states formally raise questions regarding U.S. implementation of its arms control, nonproliferation, and disarmament obligations and commitments.

## **U.S. COMPLIANCE**

In 2014, the United States continued to be in compliance with all of its obligations under arms control, nonproliferation, and disarmament agreements and commitments, and continues to make every effort to comply scrupulously with them. When U.S. partners have raised a compliance question regarding U.S. implementation activities, the United States has carefully reviewed the matter to confirm that its actions were in compliance with its obligations.

**Biological and Toxin Weapons Convention (BWC).** All U.S. activities during the reporting period were consistent with the obligations set forth in the BWC. The United States continues to work toward enhancing transparency of biological defense work using the BWC confidence-building measures.

**Chemical Weapons Convention (CWC).** The CWC entered into force on April 29, 1997. The United States continues to work toward meeting its CWC obligations with respect to the destruction of chemical weapons (CW) and associated CW facilities. The United States has completed destruction of its Category 2 and 3 chemical weapons and has completed destruction of nearly 90 percent of its Category 1 chemical weapons stockpile. The United States remains fully committed to complete destruction of its entire stockpile as soon as practicable, consistent with the Convention's imperatives of public safety, environmental protection, and international transparency and oversight.

The United States continues to update the Organization for the Prohibition of Chemical Weapons (OPCW) on U.S. destruction efforts, consistent with the November 2011 adoption by the OPCW Conference of States Parties of transparency measures to provide States Parties and the OPCW with additional confidence in States Parties' continued commitment to and progress toward complete, verified destruction of their chemical weapons under the CWC. The United States has provided a full and complete declaration of its CW and associated CW facilities. The United States also is compliant with its CWC obligations related to commercial activities. U.S. CWC Regulations (15 CFR 710 et seq.) require commercial facilities exceeding CWC-specified activity thresholds to submit annual declarations, notifications, and other reports, including on past and anticipated activities, and to permit systematic and routine verification through on-site inspections of declared commercial facilities.

**Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles, also known as the Intermediate-Range Nuclear Forces (INF) Treaty.**

All U.S. activities during the reporting period were consistent with the obligations set forth in the INF Treaty.

In bilateral meetings with U.S. officials relating to the INF Treaty, Russia claimed that the Aegis Ashore Missile Defense System launcher was capable of launching INF-range offensive ground-launched ballistic or cruise missiles and therefore, was inconsistent with the Treaty. As explained in detail to Russia, the U.S. Aegis Ashore Missile Defense System is fully consistent with U.S. obligations under the INF Treaty: it was designed and tested for missile defense purposes only and does not have an offensive capability. As such, the Aegis Ashore Missile Defense System is not a prohibited launcher. Russia also again raised concerns relating to armed unmanned aerial vehicles (UAVs) and ballistic target missiles, both of which we previously had addressed in the Special Verification Commission.

**Threshold Test Ban Treaty (TTBT), Underground Nuclear Explosions for Peaceful Purposes Treaty (PNET), and Limited Test Ban Treaty (LTBT).** The United States has not conducted any nuclear weapon explosive tests or any nuclear explosions for peaceful purposes since 1992. All U.S. activities during the reporting period were consistent with the obligations set forth in the TTBT, PNET, and LTBT.

**1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.** All U.S. activities during the reporting period were consistent with the obligations set forth in the 1925 Geneva Protocol.

**Treaty on Conventional Armed Forces in Europe (CFE) and the Vienna Document 2011.** All U.S. activities during the reporting period were consistent with the obligations set forth in the CFE Treaty and the political commitments associated with the Vienna Document 2011.

The United States continues to maintain a cessation of implementation of certain CFE Treaty obligations (notifications, data exchange, and inspections) vis-à-vis the Russian Federation as a countermeasure to Russia's ongoing nonperformance of its obligations to the United States under the CFE Treaty. This measure was closely coordinated with NATO Allies, who also implemented similar steps in their respective national capacities. Russia has not challenged this

action. The United States continues to perform its obligations under the CFE Treaty vis-à-vis all other States Parties.

**Treaty on Open Skies (OST).** All U.S. activities during the reporting period were consistent with the obligations set forth in the OST.

**Nuclear Non-Proliferation Treaty (NPT).** All U.S. activities during the reporting period were consistent with the obligations set forth in the NPT.

**Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START Treaty).** All U.S. activities during the reporting period were consistent with the obligations set forth in the New START Treaty (NST).

During this fourth year of treaty implementation, both the United States and Russia continued to discuss questions related to Treaty implementation in the Bilateral Consultative Commission (BCC) and through diplomatic channels. The United States reviewed Russia's concerns and determined that U.S. actions are in full compliance with the Treaty. The United States has explained in detail in the BCC and through diplomatic channels, why U.S. actions are consistent with the obligations set forth in the Treaty. The United States did reach an understanding with the Russian Federation regarding certain procedures related to Type One inspections at Minuteman III ICBM bases, which has apparently resolved this issue.

## **PART II: COMPLIANCE WITH TREATIES AND AGREEMENTS CONCLUDED BILATERALLY WITH THE SOVIET UNION OR ITS SUCCESSOR STATES**

### **INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY**

The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (INF Treaty) was signed by President Reagan and Soviet General Secretary Gorbachev on December 8, 1987, and entered into force on June 1, 1988.

#### **FINDING**

The United States has determined that in 2014, the Russian Federation continued to be in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

#### **BACKGROUND**

The INF Treaty is of unlimited duration and bans the possession, production, and flight-testing of intermediate- and shorter-range missile systems. The Treaty required the complete elimination of all the approximately 800 U.S. and approximately 1,800 former Soviet ground-launched missiles with maximum ranges between 500 and 5,500 kilometers (km), their launchers, and their associated support equipment and structures. All such items were eliminated by May 28, 1991.

The INF Treaty established a verification regime using national technical means of verification (NTM), notifications, and an on-site inspection regime to detect and deter violations of Treaty obligations. The on-site inspection regime concluded on May 31, 2001, 13 years following the Treaty's entry into force per Article XI. The remainder of the verification regime continues for the duration of the Treaty.

The United States noted concerns about the Russian Federation's compliance with the INF Treaty in earlier, classified versions of the Compliance Report. In the 2014 Report, the United States published its determination that the Russian Federation was in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles.

## **COMPLIANCE ANALYSIS**

The INF Treaty defines an intermediate-range missile as a ground-launched ballistic missile (GLBM) or GLCM having a range capability in excess of 1,000 km but not in excess of 5,500 km. The Treaty defines a shorter-range missile as a GLBM or GLCM having a range capability equal to or in excess of 500 km but not in excess of 1,000 km. A GLCM is defined as a ground-launched cruise missile that is a weapon delivery vehicle.

Article I provides that the Parties shall not have intermediate-range and shorter-range missiles.

Paragraph 1 of Article IV provides that the Parties shall not possess intermediate-range missiles and launchers of such missiles, or support structures and equipment of the categories listed in the Memorandum of Understanding associated with such missiles and launchers.

Paragraph 1 of Article VI provides that no Party shall produce or flight-test any intermediate-range missiles or produce any stages or launchers of such missiles, or produce, flight-test, or launch any shorter-range missiles or produce any stages or launchers of such missiles.

Paragraph 1 of Article VII provides that if a cruise missile has been flight-tested or deployed for weapon-delivery, all missiles of that type shall be considered to be weapon-delivery vehicles.

Paragraph 2 of Article VII provides that if a GLCM is an intermediate-range missile, all GLCMs of that type shall be considered to be intermediate-range missiles.

Paragraph 4 of Article VII provides that the range capability of a GLCM not listed in Article III of this Treaty shall be considered to be the maximum distance that can be covered by the missile in its standard design mode flying until fuel exhaustion, determined by projecting its flight path onto the earth's sphere from the point of launch to the point of impact.

Paragraph 7 of Article VII provides that if a launcher has been tested for launching a GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 8 of Article VII of the INF Treaty provides that if a launcher has contained or launched a particular type of GLCM, all launchers of that type shall be considered to be launchers of that type of GLCM.

Paragraph 11 of Article VII provides that a cruise missile that is not a missile to be used in a ground-based mode shall not be considered to be a GLCM if it is test-launched at a test site from a fixed land-based launcher that is used solely for test purposes and that is distinguishable from GLCM launchers.

The United States determined the cruise missile developed by the Russian Federation meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used to launch such a missile, are prohibited under the provisions of the INF Treaty.

### *Compliance Discussions*

In 2013 and 2014, the United States raised these concerns with the Russian Federation on repeated occasions in an effort to resolve U.S. concerns. The United States will continue to pursue resolution of U.S. concerns with Russia.

## **IMPLICATIONS FOR U.S. SECURITY AND OTHER INTERESTS**

The Administration believes that it is in the mutual security interests of all the Parties to the INF Treaty that Russia and the other 11 successor states to the Soviet Union remain Parties to the Treaty and comply with their obligations.

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Moreover, the INF Treaty contributes to the security of our allies and to regional stability in Europe and in the Asia-Pacific region.

INF Treaty  
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**TREATY ON  
MEASURES FOR THE FURTHER REDUCTION AND  
LIMITATION OF STRATEGIC OFFENSIVE ARMS  
(THE NEW START TREATY)**

For a discussion of Russia's implementation of its obligations under the New START Treaty, see the Report on Implementation of the New START Treaty, dated January 2015, consistent with Section (a)(10) of the Senate Resolution of Advice and Consent to Ratification of the Treaty between the United States of America and The Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (also known as the "Condition (10) Report"), and appended to this Report.

INF Treaty  
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## **PART III: OTHER STATES' (INCLUDING SUCCESSOR STATES') COMPLIANCE WITH MULTILATERAL TREATIES**

### **BIOLOGICAL AND TOXIN WEAPONS CONVENTION (BWC)**

The Biological and Toxin Weapons Convention (BWC or Convention) opened for signature in 1972 and came into force in 1975. As of the end of 2014, there were 171 States Parties to the BWC and nine countries had signed but not yet ratified the agreement. In 1987, BWC States Parties established an annual data exchange, referred to as the Confidence-Building Measures (CBMs). The CBMs were modified and expanded in 1991 and streamlined in 2011. The arrangement establishing the CBMs is not legally binding and not all States Parties submit reports.

This Report addresses BWC-related compliance questions regarding China, Iran, North Korea, Pakistan, and Russia, all of which are States Parties to the BWC. This Report also addresses biological warfare (BW)-related activities of Egypt and Syria, which have signed but not ratified the BWC. As the provisions of the BWC are not legally binding for signatories this report will address the BW activities of such countries on a case by case basis and report on relevant activities only. Accordingly, Egypt will no longer appear in future reports unless their activity is of significant concern. Syria, however, will continue to be addressed in next year's report due to relevant activity that came to light in the context of Syrian accession to the Chemical Weapons Convention (CWC).

### **COUNTRY ASSESSMENTS**

#### **CHINA**

#### **FINDING**

Available information indicates China engaged during the reporting period in biological activities with potential dual-use applications. However, the information did not establish that China is engaged in activities prohibited by the BWC.

#### **BACKGROUND**

China became a State Party to the BWC in 1984. Its compliance with the Convention has been addressed since the 1993 Report.

China's CBM declarations have never disclosed a historical offensive BW program.

China has continued to develop its biotechnology infrastructure, pursue scientific cooperation with of several countries, and engage in biological activities with potential dual-use applications.

## **COMPLIANCE ANALYSIS**

Article I of the BWC obligates States Parties to “never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain microbial or other biological agents, or *toxins*” for purposes prohibited by the BWC. Additionally, confirmation of activities that are inconsistent with Article I would likewise be in contravention of Article IV of the BWC, which mandates that States Parties “take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention, within the territory of such State, under its jurisdiction, or under its control anywhere.” This information, however, is not definitive and does not support a finding of non-compliance.

### **Compliance Discussions**

No BWC compliance questions were raised between the United States and China during the reporting period.

## **EGYPT**

### **FINDING**

Egypt is a signatory and not a State Party to the BWC. Consequently it is not legally bound by the provisions of the BWC. During the reporting period, available information did not indicate that Egypt was engaged in activities prohibited to States Parties of the BWC.

### **BACKGROUND**

Egypt signed the BWC in 1972, but has not ratified the Convention. As a signatory, but not a State Party, to the BWC, Egypt has not committed, nor has it been expected, to submit annual CBM declarations. Accordingly, it has made no BWC CBM declarations.

Reporting over the last three years indicated that Egypt continued to improve its biotechnology infrastructure; engage in biological research and development activities, including genetic engineering techniques; and pursue scientific cooperation with other countries. As of the end of 2014, available information did not indicate that Egypt is engaged in activities prohibited by States Parties to the BWC.

## **COMPLIANCE ANALYSIS**

As a non-State Party, the provisions of the BWC are not legally binding on Egypt. Consequently Egypt will no longer be addressed in this report unless its activities warrant inclusion.

### **Compliance Discussions**

While Egypt is a signatory to the BWC, it has yet to ratify the Convention and therefore it is not legally bound by the provisions of the BWC. Consequently, the United States has not engaged with Egypt on BWC compliance matters.

## **IRAN**

## **FINDING**

Available information indicated that Iran continues to engage in dual-use activities with BW applications, but it is unclear if these activities were conducted for purposes inconsistent with the BWC.

## **BACKGROUND**

Iran became a State Party to the BWC in 1973. Its compliance with the Convention has been addressed since the 1993 Report.

We assess Iran continued to engage in activities with dual-use BW applications in 2014.

## **COMPLIANCE ANALYSIS**

Article I, requires a State Party to “never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain” biological weapons, and Article IV of the BWC mandates that States Parties “take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention” of biological weapons anywhere on its territory.

**Compliance Discussions**

There were no exchanges during the reporting period between the United States and Iran regarding Iran's compliance with the BWC. However, issues relating to Iran's dual-use BW activities continued to be raised with other countries in multilateral channels.

**NORTH KOREA**

**FINDING**

The United States continues to judge that North Korea may still consider the use of biological weapons as an option, contrary to its obligations under the BWC. North Korea continues to develop its biological research and development capabilities, but has yet to declare any relevant developments and has failed to provide a BWC CBM declaration since 1990.

**BACKGROUND**

North Korea (the Democratic People's Republic of Korea, or DPRK) became a State Party to the BWC in 1987. Its compliance with the Convention was first addressed in the edition of this Report covering the year 2000.

The only BWC-related declaration that North Korea has made was a BWC CBM declaration in 1990.

Available information indicates that North Korean entities engaged during the reporting period in a range of biological research and development activities.

Available information previously indicated that North Korea may still consider the use of biological weapons as an option. The United States notes that North Korea may still consider the use of biological weapons as an option, contrary to the BWC.

**COMPLIANCE ANALYSIS**

As a State Party, North Korea is legally obligated by Article I to "never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain" biological weapons, and by Article IV to "take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention" of biological weapons anywhere on its territory. North Korea has a longstanding BW

capability and biotechnology infrastructure that could support a BW program, our information during the reporting period is not definitive and cannot support a finding of noncompliance. The United States continues to judge that North Korea may still consider the use of biological weapons for offensive purposes, contrary to its obligations under the BWC.

### **Compliance Discussions**

Discussions regarding North Korea's compliance with its BWC obligations continued in multilateral fora. However, there were no bilateral exchanges during the reporting period between the United States and North Korea regarding the DPRK's obligations under the BWC.

## **PAKISTAN**

### **FINDING**

Available information during the reporting period did not indicate that Pakistan is engaged in activities prohibited by the BWC.

### **BACKGROUND**

Pakistan became a State Party to the BWC in 1974.

Pakistan's biotechnology infrastructure continued during the reporting period to pursue a range of biological research and development activities.

Information available during the reporting period did not indicate that Pakistan is engaged in activities prohibited by the BWC.

### **COMPLIANCE ANALYSIS**

As a State Party Pakistan is legally obligated by Article I "never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain" biological weapons, and by Article IV to "take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention" of biological weapons anywhere on its territory. A past program would also be required to be destroyed or diverted to peaceful purposes in accordance with Article II. The submission of CBMs, however, is not an obligation of Pakistan under the BWC or grounds for a finding of noncompliance. Pakistan has not yet implemented legislation prohibiting activities inconsistent with the BWC, as required by Article IV. Available information does not indicate that Pakistan engaged in BW activities prohibited by the BWC during the reporting period.

**Compliance Discussions**

During the reporting period the United States and Pakistan did not collaborate on BWC-related matters.

**THE RUSSIAN FEDERATION (RUSSIA)**

**FINDING**

Available information during the reporting period indicated that Russian entities have remained engaged in dual-use, biological activities; it is unclear that these activities were conducted for purposes inconsistent with the BWC. It also remains unclear whether Russia has fulfilled its BWC obligations in regard to the items specified in Article I of the Convention that it inherited. Russia previously acknowledged both that it is a BWC successor state and that it inherited past offensive programs of biological research and development

**BACKGROUND**

The Soviet Union became a State Party to the BWC in 1975. Russia's BWC compliance was first addressed in the 1993 Report, though the Soviet Union's BWC noncompliance was first addressed in the January 1984 Report to Congress on Soviet Non-compliance with Arms Control Agreements.

In January 1992, President Yeltsin announced Russia renounced the former Soviet Union's reservations to the 1925 Geneva Protocol that had allowed for retaliatory use of biological weapons. (The Duma voted to remove these reservations in 2001.) In April 1992, President Yeltsin signed a decree committing Russia as the BWC successor to the Soviet Union and prohibiting illegal biological warfare activity in Russia. During discussions in Moscow in September 1992, Russian officials confirmed the existence of a biological weapons program inherited from the Soviet Union and committed to its destruction.

Although Russia had inherited the past offensive program of biological research and development from the Soviet Union, Russia's annual BWC CBM submissions since 1992 have not satisfactorily documented whether this program was completely destroyed or diverted to peaceful purposes in accordance with Article II of the BWC.

Russian government entities remained engaged during the reporting period in BW-relevant activities.

## **COMPLIANCE ANALYSIS**

Article I of the BWC requires a State Party “never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain” biological weapons, and Article IV mandates that States Parties “take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention” of biological weapons anywhere on their territory. Article II requires States Parties to “destroy or divert to peaceful purposes” the BW specified in Article I of the Convention. It also remains unclear if Russia has fulfilled its obligations under Article II to “destroy or divert to peaceful purposes” the BW specified in Article I of the Convention, that it inherited from the Soviet Union.

### **Compliance Discussions**

While there were no specific consultations with Russia during the reporting period on matters relevant to its compliance with the BWC, the United States routinely informs Russia of its compliance findings. Additionally, the United States routinely expresses its willingness to engage Russia on such matters.

## **SYRIA**

### **FINDING**

Syria is a signatory and not a State Party to the BWC; consequently, it is not legally bound by the provisions of the BWC. The United States will continue to monitor closely biological activities undertaken by Syria, a signatory to the BWC, for activities that would violate the provisions under the BWC if Syria were a State Party to the Convention. Further, while Syria is not a party to the BWC, Syria has acceded to the Chemical Weapons Convention (CWC) and is legally bound to its provisions, which also prohibit offensive activities related to toxins.

### **BACKGROUND**

Syria signed the BWC in April 1972, but has yet to ratify the Convention. Syria’s BW-related activities have been addressed since the 1993 Report.

As a signatory but not a State Party to the BWC, Syria has not committed, nor has it been expected, to submit annual CBM declarations. Accordingly, it has made no BWC CBM declarations.



It remained unclear during the reporting period whether Syria would consider the use of biological weapons as a military option.

## **COMPLIANCE ANALYSIS**

Syria is not a State Party to the BWC and therefore not legally bound by its provisions. However, if Syria were a State Party, its failure to fully disclose relevant BW-related activities involving toxins would be in contravention of Article I obligations which states that parties to the BWC shall “never in any circumstance to develop, produce, stockpile, or otherwise acquire or retain microbial or other biological agents, or *toxins*” for purposes prohibited by the BWC.

### **Compliance Discussions**

During the reporting period, the United States, U.S. allies, and other States Parties raised concerns regarding the accuracy and completeness of Syria’s declaration and subsequent amendments under the CWC, to which Syria is a Party. To attempt to resolve many of these concerns, including toxin-relevant activity, the Director of the Organization for the Prohibition of Chemical Weapons established a Declaration Assessment Team (DAT) in April 2014. The DAT made incremental and modest progress in 2014, but Syria has not been fully cooperative.

UNCLASSIFIED

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**TREATY ON  
CONVENTIONAL ARMED FORCES IN EUROPE (CFE)**

For a discussion of other nations' adherence to their obligations under the CFE Treaty, see the Report on Compliance with the Treaty on Conventional Armed Forces in Europe, dated January 2015, consistent with Condition 5(C) of the Senate Resolution of Advice and Consent to Ratification of the CFE Flank Document (also known as the "Condition 5(C) Report"), and appended to this Report.

CFE  
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## **VIENNA DOCUMENT ON CONFIDENCE- AND SECURITY- BUILDING MEASURES**

On November 30, 2011, the participating States of the Organization for Security and Cooperation in Europe (OSCE) adopted Vienna Document 2011 (VD11), which added to and built upon the undertakings in previous versions of the Vienna Document (1990, 1992, 1994, and 1999). The confidence- and security-building measures (CSBM) contained in the Vienna Document are politically binding upon the participating states.

In 2014, 85 inspections and 46 evaluation visits of units and formations were conducted by the participating States under the provisions of VD11, Chapter IX. In addition, 19 inspections and 27 evaluation visits were conducted using VD11 procedures under bilateral agreements or regional measures or other arrangements that provided additional inspection opportunities to the participants in those arrangements.

In the most recent annual Vienna Document exchange of CSBM data, 49 of the 51 participating states with armed forces provided CSBM data as of the end of 2014.<sup>2</sup> Kyrgyzstan and Uzbekistan did not submit information. Kyrgyzstan has provided data for previous exchanges, while Uzbekistan has not provided data since 2003.

### **COUNTRY ASSESSMENTS**

#### **RUSSIA**

#### **FINDING**

The United States assesses Russia's selective implementation of some provisions of the Vienna Document and the resultant loss of transparency about Russian military activities has limited the effectiveness of the CSBM regime. Russia's selective implementation also makes it difficult to make a definitive determination with regard to its compliance with the Vienna Document.

In 2014, Russia avoided meaningful responses to questions seeking clarification under the "unusual military activities" provisions in Chapter III. Russian actions in Ukraine are also contrary to paragraphs 2 and 3 of the Vienna Document, in which the participating states stress the continued validity of

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<sup>2</sup> Under the terms of the Vienna Document, participating states provide data in December regarding their forces as of January 1 of the following year.

commitments on refraining from the threat or use of force contained in the Stockholm Document and the Charter of Paris and the concluding documents of the Madrid, Vienna, and Helsinki Follow-up Meetings of the Conference on Security and Cooperation in Europe (CSCE).

## **BACKGROUND**

Russia adopted the Vienna Document on November 17, 1990, and VD 11 on November 30, 2011. Russian compliance with the Vienna Document was first addressed in the 1999 Compliance Report.

Beginning in February 2014, the presence of a Russian military force that appeared to exceed VD11, Chapter V thresholds was noted in western Russia near the border with Ukraine. During the rest of 2014, the United States assesses that Russian force levels exceeded personnel and/or equipment levels intended to trigger notification requirements in VD11, Chapter V; however, we cannot verify these forces were deployed in a manner that meets the structural parameters outlined in the Vienna Document to be “notifiable.” When additional information regarding the deployment of Russian forces has been requested in accordance with VD11, Chapter III, Russia has failed to provide responsive replies to such requests for an explanation. Russia has also failed to attend meetings called under Chapter III. Instead, Russia has repeatedly denied that its activity was notifiable, and refused to provide additional information on the deployment, arguing that the activity should not raise security concerns.

## **COMPLIANCE ANALYSIS**

VD11, Chapter III (“Mechanism for Consultation and Co-operation as Regards Unusual Military Activities”) states that a participating state which has concerns about the unusual military activities of another state may transmit a request for explanation about the activities. The reply must give answers to the questions raised, as well as any other relevant information in order to explain the activity in question and dispel the concern. Russia repeatedly failed to implement Chapter III provisions by failing to provide responsive replies to requests for an explanation and by failing to attend meetings called under Chapter III.

VD11, Chapter I states that the participating States will annually exchange information on their military forces concerning the military organization, manpower and major weapon and equipment systems. Chapter I specifies armored infantry fighting vehicle look-alikes and deployed weapons systems as information to be shared. Russia has failed to live up to its Vienna Document commitments by

failing to report the BRM-1K. Russia has also failed to report information on its military forces in the separatist regions in Georgia.

**Compliance Discussions**

The United States and allies have raised bilaterally the blocking by a mixture of uniformed and unidentified personnel, who were likely separatists supported by Russian military personnel, of a Chapter III observation team that attempted to enter Crimea in March 2014. The United States and allies have also raised in the OSCE the graver issues of Russia's occupation and attempted annexation of Crimea and continuing provocative actions in and around Ukraine, which run counter to OSCE security commitments, including the Vienna Document.

**Armenia**

**FINDING**

Armenia failed to provide complete and timely notification in the appropriate format of the "Unity 2014" exercise held in the Nagorno-Karabakh region in November 2014, which exceeded thresholds for notification requirements in Chapter V.

**BACKGROUND**

Armenia adopted the Vienna Document on November 17, 1990 as part of the Union of Soviet Socialist Republics and as an independent nation on January 29, 1992, and VD 11 on November 30, 2011. Armenian compliance with the Vienna Document was first addressed in the Compliance Report in 2003.

**COMPLIANCE ANALYSIS**

VD11, Chapter V states that participating States will give notification in writing to all other participating states 42 days or more in advance of the start of notifiable military activities. "Unity 2014" was a notifiable event because it exceeded the 9,000 troop threshold identified in Chapter V.

**Compliance Discussions**

The United States has raised issues related to the Armenian exercise bilaterally and outlined concerns about the lack of transparency about the exercise in the Forum for Security Cooperation on November 26, 2014. In particular, the

United States noted concerns about the timing of the notification and use of the “annual calendar” format. Armenia asserted that it used the appropriate format and disagreed that the notification was late due to the “exercise proper” starting on November 8, 2014.

## **Azerbaijan**

### **FINDING**

Azerbaijan conducted two military exercises in 2014 that, according to press reports, may have exceeded thresholds for notification requirements in Chapter V.

### **BACKGROUND**

Azerbaijan adopted the Vienna Document on November 17, 1990, as part of the Union of Soviet Socialist Republics and as an independent nation on January 29, 1992, and VD 11 on November 30, 2011. Azerbaijani compliance with the Vienna Document was first addressed in the Compliance Report in 2003.

Azerbaijani press reported on an exercise in July that involved 10,000 personnel, including 3,000 reservists, over 300 armored vehicles, and over 100 artillery systems. Also according to press reports, Azerbaijan held a joint exercise with Turkey in September involving 30,000 personnel and over 250 armored vehicles. Azerbaijan did not include any exercises on its VD 11 annual calendar and did not notify any exercises during the year.

### **COMPLIANCE ANALYSIS**

VD 11, Chapter V states that participating States will give notification in writing to all other participating states 42 days or more in advance of the start of notifiable military activities. The July and September exercises would have been notifiable events if confirmed to have exceeded the 9,000-troop threshold identified in Chapter V.

#### **Compliance Discussions**

In both July and September, questions about the reported Azerbaijani exercises were first raised by the Armenian delegation to the Forum for Security Cooperation. Responding to questions about the July 2014 exercise, the Azerbaijani representative provided details at the 761st Forum for Security Cooperation meeting on July 23, 2014 claiming that only 7,000 active military personnel took part in the exercise and that Azerbaijan did not exceed the Vienna

Document thresholds. (Azerbaijan failed to account for the 3,000 reserve officers that also participated, which brought the total to 10,000 personnel. Chapter V thresholds do not distinguish between active and reserve personnel.)<sup>1</sup> To date, neither Azerbaijan nor Turkey has provided additional information about the September 2014 exercise.

## **Kyrgyzstan**

### **FINDING**

In the most recent annual Vienna Document exchange of CSBM data, Kyrgyzstan failed to provide CSBM data on its armed forces as of the end of 2014.

### **BACKGROUND**

Kyrgyzstan adopted the Vienna Document on November 17, 1990, as part of the Union of Soviet Socialist Republics and as an independent nation on January 29, 1992, and VD 11 on November 30, 2011. Kyrgyz compliance with the Vienna Document was first addressed in the Compliance Report in 2001.

### **COMPLIANCE ANALYSIS**

VD11, Chapter I states that participating states will exchange annually information on their military forces not later than December 15 of each year. Kyrgyzstan's failure to provide this information raises questions regarding its adherence to Chapter I commitments.

#### **Compliance Discussions**

There was no contact with Kyrgyzstan on this issue in 2014 because of its failure to maintain a regular presence in the Forum for Security Cooperation and absence from the OSCE Vienna Document data exchange on December 15, 2014.

## **Uzbekistan**

### **FINDING**

In the most recent annual Vienna Document exchange of CSBM data, Uzbekistan failed to provide CSBM data on its armed forces as of the end of 2014.

### **BACKGROUND**

Uzbekistan adopted the Vienna Document as part of the Union of Soviet Socialist Republics on November 17, 1990, and as an independent nation on January 29, 1992, and VD 11 on November 30, 2011. Uzbek compliance with the Vienna Document was first addressed in the Compliance Report in 2000.

## **COMPLIANCE ANALYSIS**

VD11, Chapter I states that participating states will exchange annually information on their military forces not later than December 15 of each year. Uzbekistan's failure to provide this information raises questions regarding its adherence to Chapter I commitments.

### **Compliance Discussions**

There was no contact with Uzbekistan on this issue in 2014 because of its failure to maintain a regular presence in the Forum for Security Cooperation, absence from the March 2014 Annual Implementation Assessment Meeting and absence from the OSCE Vienna Document data exchange on December 15, 2014.



## **CHEMICAL WEAPONS CONVENTION (CWC)**

For a discussion of other nations' adherence to their obligations under the Chemical Weapons Convention, see the Report on Chemical Weapons Compliance, dated April 2015, in accordance with Condition 10(C) of the Senate Resolution of Advice and Consent to the Chemical Weapons Convention (also known as the "Condition 10(C) Report"), and appended to this Report.

## **NUCLEAR NON-PROLIFERATION TREATY (NPT)**

This chapter of the Report covers developments relevant to other nations' compliance with the 1968 Nuclear Non-Proliferation Treaty (NPT), including their compliance with their related obligation to conclude and implement a Comprehensive Safeguards Agreement (CSA) with the International Atomic Energy Agency (IAEA).<sup>3</sup> The chapter also addresses, where relevant, the status of countries' efforts to conclude and implement a Modified Small Quantities Protocol (SQP) to their CSA and their efforts to conclude and implement a Protocol Additional to the Safeguards Agreement (AP)<sup>4</sup>. The chapter focuses on developments in Burma, Iran, North Korea, and Syria.

As of the end of 2014, there were twelve non-nuclear-weapon States Party (NNWS) to the NPT that had not yet brought into force a CSA with the International Atomic Energy Agency (IAEA).<sup>5</sup> The NPT does not require adherence to an IAEA Additional Protocol, which contains measures that increase the IAEA's ability to verify the non-diversion of declared nuclear material and to provide assurances as to the absence of undeclared nuclear material and activities in a state. As of the end of 2014, 147 states had an Additional Protocol approved by the IAEA Board of Governors, 145 of those had been signed, and 124 had entered into force. The Protocol Additional to the Agreement between the United States of America and the IAEA for the Application of Safeguards in the United States of America (U.S. Additional Protocol) entered into force for the United States on January 6, 2009.

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<sup>3</sup> Article III of the NPT requires each NPT Non-Nuclear Weapons State (NNWS) to accept safeguards "for the exclusive purpose of verification of the fulfillment of its obligations assumed under [the] Treaty with a view...to prevent[ing] the diversion of nuclear energy from peaceful uses to nuclear weapons." Concluding and implementing a Comprehensive Safeguards Agreement (CAS) with the IAEA fulfills this obligation. In the case of states with very limited quantities of nuclear material, the State also may enter into a Small Quantities Protocol (SQP) to the CSA that reduces the safeguards implementation burden for such states.

<sup>4</sup> The Model Protocol Additional to the Agreement(s) between State(s) and the International Atomic Energy Agency for the Application of Safeguards (AP) was developed in 1997 to provide the IAEA with broader access to information and locations, and thereby to increase the IAEA's ability to provide assurance of the absence of undeclared nuclear material and activities in State Parties. As noted above, the NPT does not require States to sign and implement an AP. However, with a supermajority of NPT State Parties now implementing APs, in practice the combination of a CSA together with an AP has become the international standard for IAEA verification.

<sup>5</sup> The states without a CSA as of December 31, 2014 are, as follows: Benin, Cape Verde, Djibouti, Equatorial Guinea, Eritrea, Guinea, Guinea Bissau, Liberia, Micronesia, Sao Tome & Principe, Somalia, and Timor-Leste.

**COUNTRY ASSESSMENTS**

**BURMA**

**FINDING**

Myanmar's (Burma's) signing of an Additional Protocol (AP) and its announcement that it would adhere to the modified Small Quantities Protocol (SQP) contributed significantly to U.S. confidence in the civilian leadership's peaceful intentions regarding its nascent nuclear program. Neither the AP nor the modified SQP have yet entered into force. Burmese efforts to bring into force and implement the AP and modified SQP will require continued political leadership from President Thein Sein and cooperation between the civilian and military elements of the Burmese Government to succeed. The United States remains alert to any indications of nuclear weapon-related activities. We do not have evidence that Burma violated the NPT, but confidence regarding its nuclear activities will be improved upon implementation of the AP and modified SQP.

**BACKGROUND**

Burma became a State Party to the NPT in 1992, its Comprehensive Safeguards Agreement with the IAEA entered into force in 1995, and it signed an AP with the IAEA in 2013. The AP has not yet entered into force. Entry into force (EIF) will occur when Burma notifies the IAEA that its domestic statutory requirements have been met. Burma will be required to submit its initial declaration under the AP to the IAEA within 180 days of entry into force. As a country with little to no nuclear material, Burma concluded an SQP to its Safeguards Agreement in 1995, which holds in abeyance key provisions in the Safeguards Agreement as long as Burma does not possess quantities of nuclear material that exceed a defined threshold or "in a facility as defined in" its Safeguards Agreement. In 2005, the IAEA approved an update of the Model SQP. Burma has not yet modified its SQP to conform to the update, but in 2012, President Thein Sein announced Burma's intention to do so.

As early as 2002, Burma had publicly announced its intention to acquire a nuclear research reactor for peaceful purposes, and in 2007 it signed an agreement with Russia for assistance building a nuclear research center, including a light-water research reactor. Burma reported in 2010 that it had suspended its reactor plan with Russia "due to inadequacy of resources and the government's concern for misunderstanding it may cause."

In July 2014, Burma's Minister of Science and Technology (MOST) told Parliament that the country "might build nuclear reactors for research purposes at an appropriate time," according to press reports.

## **COMPLIANCE ANALYSIS**

Under NPT Article II, each non-nuclear-weapon State (NNWS) Party undertakes, among other things "...not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices." In NPT Article III, each NNWS Party "undertakes to accept safeguards ...for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons...." This obligation requires conclusion and implementation of a Comprehensive Safeguards Agreement with the IAEA.

When Burma's AP enters into force, it will be obligated to, among other things, provide the IAEA with a declaration that includes extensive information on its nuclear facilities and nuclear-related activities. It will also provide the IAEA with expanded inspection access, including to additional parts of Burma's nuclear fuel cycle, and the ability to collect samples and information to verify compliance. When Burma modifies its SQP to conform to the 2005 update, it will, among other things, be required to declare all nuclear material subject to safeguards under its Safeguards Agreement. Additionally, Burma will be required to provide early design information for any planned nuclear facilities and corresponding inspection access, which are currently held in abeyance under the existing SQP.

The United States retains confidence in Burma's civilian leadership's intentions to pursue a purely peaceful civilian nuclear program. However, the United States continues to be concerned about Burma's willingness to be transparent about its previous nuclear work. Burma's declarations of nuclear-related activities and locations under an AP, its initial declaration of nuclear material under a modified Small Quantities Protocol (SQP), and its responsiveness to IAEA questions, following EIF of an AP and signature and EIF of a modified SQP, along with its implementation of an AP and modified SQP will be key to assessing activities that have raised concerns regarding its military's nuclear intentions and activities. Its military will play a critical role in providing the IAEA with complete declarations.

### *Compliance Discussions*

The United States has held a series of workshops for Burmese stakeholders, most recently in June 2014, to increase awareness of the AP and SQP, and to prepare for their future implementation.

In discussions with Burma, the United States continued to emphasize the importance of ensuring the cooperation of all relevant agencies, particularly the military, to provide complete reporting to the IAEA, address all IAEA outstanding questions and concerns regarding Burma's nuclear activities, and fully implement an AP and SQP.

## **IRAN**

### **FINDING**

During the reporting period, Iran continued to be in violation of its obligations under the NPT and its IAEA Safeguards Agreement. Furthermore, Iran has not complied with relevant UN Security Council (UNSC) resolutions. Implementation of the Joint Plan of Action (JPOA) between the P5+1 (China, France, Germany, Russia, the United Kingdom, and the United States, coordinated by the European Union) and Iran began on January 20, 2014. Iran has fulfilled the commitments that it made under the JPOA. The parties negotiated during 2014 to pursue a Joint Comprehensive Plan of Action (JCPOA) to achieve a long-term comprehensive solution to restore confidence that Iran's nuclear program is and will remain exclusively peaceful. The IAEA's investigation into the possible military dimensions (PMD) of Iran's program remains unresolved.<sup>6</sup>

### **BACKGROUND**

Iran became a State Party to the NPT in 1970 and its Comprehensive Safeguards Agreement entered into force in 1974. Iran signed the AP with the IAEA in 2003 and implemented AP measures from late 2003 to early 2006, when it stopped such implementation.

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<sup>6</sup> On April 2, 2015, the P5+1 and Iran announced that they had decided on a set of parameters for a Joint Comprehensive Plan of Action (JCPOA) which, if concluded and fully implemented, will give the international community confidence that Iran will not obtain a nuclear weapon and will enable Iran to come back into compliance with its NPT and Safeguards Agreement obligations and relevant UN Security Council resolutions. The key parameters would limit Iran's enrichment capabilities, provide for substantially enhanced inspections and transparency, and limit Iran's plutonium production capabilities.

Iran's violations of its obligations under the NPT and its IAEA Safeguards Agreement have been ongoing since the early 1980s. In 2002, an Iranian opposition group publicly revealed covert nuclear facilities under construction at Natanz and Arak that Iran had failed to declare to the IAEA. Reports from the resulting IAEA investigation led the IAEA Board of Governors (BOG) to find Iran in noncompliance with its Safeguards Agreement in 2005 and to report the case to the UN Security Council (UNSC) in 2006. In 2009, Iran announced another previously undisclosed uranium enrichment facility under construction near the city of Qom, Iran. The IAEA has reported extensively in dozens of reports since 2003 on Iran's violations of its Safeguards Agreement. Since 2006, the Security Council has adopted multiple resolutions on Iran, four of which impose binding Chapter VII sanctions (UNSC Resolutions 1737, 1747, 1803, and 1929).

From 2006 through 2013, in contravention of UNSC and IAEA Board resolutions, Iran continued research and development work on advanced centrifuges; enriched uranium up to nearly twenty percent at both the Natanz Pilot Fuel Enrichment Plant and the Fordow Fuel Enrichment Plant in Qom; continued to construct the IR-40 heavy water-moderated research reactor at Arak; and operated its heavy water production plant at Arak. During this timeframe, it did not fully cooperate with the IAEA in regard to its declared facilities; in particular, as noted in previous compliance reports, Iran did not provide design information or report design changes well in advance of any action taken to modify existing facilities or construct new ones, as required by Modified Code 3.1 of the Subsidiary Arrangements to Iran's Safeguards Agreement.<sup>7</sup>

Since 2008, the IAEA Director General's reports to the IAEA Board of Governors on Iran stated that concerns remain about the possible existence in Iran of undisclosed nuclear-related activities involving military-related organizations. The Annex to the November 2011 Director General's report detailed the basis for concerns regarding the possible military dimensions (PMD) of Iran's nuclear program. It stated that Iran had a structured military program through 2003, including activities related to the development of a nuclear payload for a missile, and that some activities may still be ongoing. Iran has dismissed the IAEA's concerns, largely on the claim that they are based on unfounded allegations. However, information obtained by the Agency in recent years further corroborated the analysis contained in the 2011 Annex. In 2014, the Director General (DG) continued to call for access to the Parchin site, where Iran may have conducted

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<sup>7</sup> Iran has stated that it will no longer implement this provision.

activities relevant to the development of a nuclear explosive device, and he reiterated concerns that Iran's extensive measures to sanitize the Parchin site will significantly hamper the IAEA's ability to conduct effective verification when it gains access to the location.

In the "Joint Statement on a Framework for Cooperation," adopted on November 11, 2013, the IAEA and Iran agreed to cooperate to resolve "all present and past issues in a step-by-step manner." At the end of 2014, the DG reported that Iran had implemented 16 of 18 practical measures in the three phases of the IAEA-Iran Framework for Cooperation<sup>8</sup> and that the Agency was analyzing the information provided by Iran. The IAEA's quarterly report in November 2014 noted that Iran had not provided "explanations that enable the agency to clarify the outstanding issues" related to the two PMD-relevant measures that Iran agreed to implement under the Framework, and that Iran had not yet provided the necessary cooperation to permit the IAEA to provide credible assurances that Iran's nuclear program is exclusively peaceful.

In a separate development, on November 24, 2013, the P5+1 and Iran concluded a JPOA designed to keep Iran's nuclear program from advancing while negotiations on a long-term comprehensive solution continue. The JPOA went into effect on January 20, 2014; on July 19, 2014, the P5+1 and Iran extended the JPOA for four months as talks continued. On November 24, 2014, the P5+1 and Iran extended the JPOA again until June 30, 2015. Under the JPOA, Iran has taken steps to stop and roll back key elements of its nuclear program; since it went into effect, Iran has not enriched above five percent U-235 and has eliminated all of its stock of UF<sub>6</sub>, enriched up to 20 percent U-235, through downblending or conversion into uranium oxide.<sup>9</sup> It has committed not to establish or operate a process line to reconvert uranium oxides back into UF<sub>6</sub>. At the end of 2014, the IAEA verified that Iran fulfilled its nuclear-related commitments under the JPOA. Iran has not made any further advances to the IR-40 reactor, nor manufactured and tested fuel for the reactor. Under the JPOA, Iran has provided the IAEA with daily access to enrichment facilities to review surveillance footage; managed access to key nuclear-related facilities, including uranium mines, mills and centrifuge production and storage facilities; information about planned facilities, and further

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<sup>8</sup>) All the measures of the three steps/phases of the Framework are listed in the November 7, 2014 IAEA report. The first three month period began on November 11, 2013; the second on February 9, 2014; and the third on May 20, 2014.

<sup>9</sup> Based on the November report, since Iran began enriching uranium at its declared facilities, it has produced 13,297.3 kg of UF<sub>6</sub> enriched up to 55 U-235 and currently has a stockpile of 8290.3 kg.

clarification of its work with laser enrichment technology. Iran also submitted an updated Design Information Questionnaire (DIQ) for the IR-40 Reactor.

During the reporting period, the United States imposed a series of new sanctions on entities and individuals involved in proliferation-related procurement for Iran, and continued to share information with other countries. This included information to impede the financing of Iran's nuclear activities and to reinforce implementation of sanctions. Iran continues to seek ways to circumvent the sanctions, but there are signs that the effects of economic sanctions may be slowing some of its nuclear plans and activities.

## **COMPLIANCE ANALYSIS**

As noted above, during the reporting period, Iran committed to continue to implement its commitments under the JPOA during the seven-month extension to June 30, 2015. More specifically, Iran committed to measures that will freeze or wind back elements of its nuclear program, including a commitment to (1) continue fabrication of Iran's stocks of 20 percent oxide into fuel for the Tehran Research Reactor, further reducing its availability for use in a breakout scenario; (2) expand IAEA access to existing centrifuge production facilities, which provides the IAEA with greater insight into Iran's stockpile of centrifuges; (3) limit research and development on advanced centrifuges at its Natanz pilot plant; (4) not make any advances at its enrichment facilities, including in the number and type of centrifuges; and (5) forgo any other forms of enrichment. While the implementation of the JPOA has begun to address some of our most urgent concerns regarding Iran's nuclear program, including its enrichment capacity, enriched uranium stockpile, and prospective ability to produce plutonium at the IR-40 reactor, the United States retains the flexibility to revoke the limited sanctions relief should Iran fail to meet its commitments in the future.

The IAEA-Iran process remained stalled at the end of 2014, as Iran had not cooperated fully on the existing, agreed practical measures for implementation of the Framework for Cooperation, nor had it proposed new practical measures for implementation in the next step of the Framework for Cooperation, as requested by the IAEA. More specifically, in 2014, Iran began to address one of the three PMD issues that it had agreed to address in the current phase of the IAEA-Iran Framework for Cooperation, providing the IAEA with information regarding Iran's development of Exploding Bridge Wire (EBW) detonators. The DG reported that the IAEA is analyzing this information. In 2014, Iran did not address the other two PMD issues that it had agreed to address in the current phase, namely, the initiation



of high explosives and neutron transport calculations. The PMD concerns outlined in the IAEA's Annex to the 2011 report, including the three named in the current phase of the Framework, are central to the international community's concerns about Iran's nuclear program and to resolving past and present issues about Iran's activities. In his 2014 reports, the DG noted his intention to conduct a PMD "system assessment" once the Agency had established an understanding of the "whole picture" of PMD. This approach reflects sound verification practice, which the United States supports; PMD issues are linked and cannot simply be closed one-by-one.

As long as Iran has not implemented the AP and cooperated fully thereunder, it is not possible for the IAEA to provide definitive assurance of the absence of undeclared nuclear material and activities in Iran. The DG continued to call for Iran to implement the AP (which would provide the IAEA with expanded access and information regarding Iran's nuclear program) and Modified Code 3.1, as stated in relevant UNSC resolutions.

As noted in previous Compliance Reports, Iran's failure to abide by the obligations of its Safeguards Agreement constitutes a violation of its NPT Article III obligations, which require safeguards to verify that its nuclear activities serve only peaceful purposes. Moreover, under Article II of the Treaty, non-nuclear-weapon states pledge not to acquire nuclear weapons or other nuclear explosive devices and not to seek or receive assistance in the manufacture of such devices. Iran had previously received assistance in the manufacture of nuclear weapons in violation of its Article II obligations, as noted in the 2005, 2010, and 2011 Reports. The issues underlying these findings remain unresolved.

### *Compliance Discussions*

In 2014, the United States continued to support the IAEA's efforts to verify the exclusively peaceful nature of Iran's nuclear program and worked closely with the European Union (EU) and P5+1. With our P5+1 partners, we held multiple rounds of negotiations with Iran before the JPOA extension in November 2014. Real and substantial progress was made, and we assess there is a credible path through which a comprehensive solution could be reached. As described in the background, the IAEA has confirmed Iran's continued fulfillment of its nuclear-related commitments under the JPOA and Iran has agreed to further measures pursuant to the JPOA extensions. Moreover, the JPOA does not alter the core sanctions infrastructure, particularly on Iran's oil and banking sectors; all UNSC

resolutions remain in force as well. We continue to vigorously enforce the sanctions that are not subject to limited relief under the JPOA.

The IAEA, the EU, the United States, and numerous other countries continue to urge Iran to cooperate fully with the IAEA to resolve all outstanding issues, including on the implementation of the Framework to address the PMD issue; to fulfill Iran's commitments pursuant to the JPOA; and to implement UNSC and IAEA Board of Governors' resolutions, the Additional Protocol, and modified Code 3.1. Iran has continued to maintain that its nuclear program is peaceful and to reject concerns regarding its nuclear activities and degree of cooperation with the IAEA. The JPOA provides the first meaningful limits that Iran has accepted on its nuclear program in more than a decade. The United States has made clear many times that our top priority in these negotiations with Iran is to achieve a long-term comprehensive solution that provides confidence in the exclusively peaceful nature of Iran's nuclear program and prevents Iran from acquiring a nuclear weapon. As the JPOA continues to be implemented, we will be vigilant in oversight and support of IAEA verification and monitoring of Iran's actions.

## **DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (NORTH KOREA)**

### **FINDING**

The United States assesses that the nuclear activities of the Democratic People's Republic of Korea (aka North Korea) contravene North Korea's commitments under the 2005 Joint Statement of Six-Party Talks and stand in clear violation of UN Security Council Resolutions (UNSCRs) 1718, 1874, 2087, and 2094. North Korea was in violation of its obligations under Articles II and III of the NPT and in noncompliance with its IAEA Safeguards Agreement at the time it announced its withdrawal from the NPT in 2003. North Korea's continuing nuclear activities and statements attest that it currently has no intention to comply with its 2005 Joint Statement commitments and its UNSCR obligations.

### **BACKGROUND**

North Korea acceded to the NPT in 1985 and its IAEA Safeguards Agreement entered into force in 1992.

Previous editions of this Report have described violations by North Korea of its obligations under Articles II and III of the NPT and its Safeguards Agreement before it announced its withdrawal from the NPT in 2003. The 2014 edition of this

Report provided a comprehensive background and update on North Korea's nuclear program, including its weaponization efforts (e.g. its nuclear test at the beginning of 2013). This Report will focus primarily on calendar year 2014, and provide updates on activities and the status of the key DPRK nuclear facilities.

In 2013, North Korea restarted its 5 MW(e), graphite-moderated reactor located within the Yongbyon research complex. This allowed North Korea to resume the process of producing weapons-grade plutonium.

Yongbyon also has a Light Water Reactor (LWR) under construction, which the DPRK revealed publicly in 2010. If successfully completed and operated, the LWR could provide North Korea with a relatively small source of electricity. It also provides North Korea with a justification to possess uranium enrichment technology that could potentially be used to produce fissile material for nuclear weapons.

The United States believes there is a clear likelihood of additional unidentified nuclear facilities in the DPRK.

## **COMPLIANCE ANALYSIS**

Under the 2005 Joint Statement of the Six Party Talks, North Korea committed to abandoning all nuclear weapons and existing nuclear weapons programs, and to return at an early date to the NPT and IAEA safeguards. Multiple UN Security Council resolutions require the DPRK to abandon all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner, and immediately cease all related activities. UNSC Resolutions also demand North Korea return to the NPT and IAEA safeguards; require that it act strictly in accordance with the obligations applicable to States Party to the NPT and the terms and conditions of its IAEA safeguards agreement; and implement such transparency measures as may be required and deemed necessary by the IAEA. During the reporting period, North Korea did not take any steps toward fulfilling its denuclearization commitments and obligations. North Korea's continuing nuclear activities stand in clear violation of multiple UN Security Council Resolutions. North Korea was in violation of its obligations under Articles II and III of the NPT and in noncompliance with its Safeguards Agreement before it announced withdrawal from the NPT in 2003.

**Compliance Discussions**

The United States and North Korea last engaged in formal bilateral dialogue on North Korea's nuclear program in February 2012. During the reporting period, the United States consistently urged North Korea to respond to diplomatic efforts to create the conditions necessary for resumption of Six-Party Talks, premised on a demonstrated DPRK commitment to make meaningful progress toward denuclearization. DPRK statements and activities during the reporting period did not signal any intention or commitment to denuclearization.

**SYRIAN ARAB REPUBLIC (SYRIA)**

**FINDING**

Syria remains in violation of its obligations under the NPT and its Safeguards Agreement. Syria failed to declare and provide design information to the IAEA for the construction of the reactor at Al Kibar (also known as Dair Alzour), which was destroyed in an Israeli airstrike on September 6, 2007. Syria's clandestine construction of the Al Kibar reactor and its denial of IAEA requests regarding other locations are violations of its Safeguards Agreement, including its obligations under Code 3.1 of the Subsidiary Arrangements to its Safeguards Agreement.

**BACKGROUND**

Syria became a State Party to the NPT in 1968 and its Safeguards Agreement entered into force in 1992. It had not signed the Additional Protocol as of the end of 2014.

*Al Kibar Site.* The U.S. government has concluded that, until September 2007, Syria covertly was building, with North Korean assistance, an undeclared nuclear reactor at Al Kibar (in the province of Dair Alzour) in Syria's eastern desert. Given its assessed design, the reactor would have been capable of producing weapons-grade plutonium. The reactor was destroyed on September 6, 2007, before it became operational. We assess that the reactor's intended purpose was the production of plutonium because the reactor was not configured for power production, was isolated from any civilian population, and was ill-suited for research. Following the reactor's destruction, Syria went to great lengths to clean up the site and to destroy evidence of what had existed at the site. By December

2007, Syria had constructed a large building over the location where the reactor once stood.

During the reporting period, the IAEA continued to seek information to address outstanding issues related to the site, including the nature of the destroyed facility and the origin of chemically processed natural uranium particles found in samples taken at the site. (The particles were of a type not included in Syria's declared inventory of nuclear material.)

*Related Sites.* Since 2009, the IAEA has asked Syria for access to additional sites with possible functions related to Al Kibar. However, the IAEA has not publicly disclosed the location of the sites. During the reporting period, the IAEA continued to request information regarding these sites. Syria continued to maintain that it has no obligation to provide information on or access to the additional locations. As of the end of 2014, Syria had not complied with either IAEA request, regarding the Al Kibar site or the other locations.

## **COMPLIANCE ANALYSIS**

Article 41 of Syria's Safeguards Agreement with the IAEA specifies that "...the provision of design information in respect of the new facilities... shall be provided as early as possible before nuclear material is introduced into a new facility." Article 42 states, among other requirements, that "The design information to be provided to the Agency shall include, when applicable: (a) the identification of the facility, stating its general character, purpose, nominal capacity and geographic location, and the name and address to be used for routine business purposes...." The NPT states in Article III.1 that "the safeguards required by this article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such state, under its jurisdiction, or carried out under its control anywhere."

On May 24, 2011, the IAEA released a report that assessed the nature of the destroyed building at Al Kibar, concluding that the building was very likely a nuclear reactor and should have been declared by Syria pursuant to Articles 41 and 42 of its Safeguards Agreement and Modified Code 3.1 of the Subsidiary Arrangements to its Syria's Safeguards Agreement. The U.S. government agrees with this finding. In addition, as noted in the above analysis, we consider Syria to be in noncompliance with the NPT.

*Compliance Discussions*

On June 9, 2011, the IAEA Board of Governors adopted a resolution on Syria's implementation of its NPT safeguards. The resolution found Syria in noncompliance with its Safeguards Agreement and called upon Syria to sign and bring into force the Additional Protocol to its Safeguards Agreement.

The IAEA resolution also referred the matter to the United Nations Security Council. The UN Security Council met once in 2011, following the IAEA's referral, but took no action. The Security Council did not address Syria's nuclear activities in 2012, 2013 or 2014. In 2014, the IAEA stated that there had been no new developments and renewed its call to Syria to cooperate fully with the Agency in connection with unresolved issues related to the Dair Alzour site and the other locations.

In 2014, the United States continued to stress the need for the IAEA to focus on the matter in light of Syria's reluctance to address all outstanding questions about its undeclared nuclear activities.

## **TREATY ON OPEN SKIES**

The Treaty on Open Skies establishes a regime for the conduct of unarmed observation flights by States Parties over the territories of other States Parties using four types of sensors (optical panoramic and framing cameras, video cameras with real-time display, infra-red line-scanning devices, and sideways-looking synthetic aperture radar). The Treaty was signed at Helsinki on March 24, 1992. The Treaty entered into force on January 1, 2002, and is of unlimited duration. As of December 31, 2014, 34 States Parties have signed and ratified the Treaty on Open Skies.

All Open Skies compliance concerns for 2014 are related to Russia. The Russia/Belarus Group of States Parties signed the Treaty on Open Skies in 1992. The U.S. first began addressing compliance concerns for Russia/Belarus in the 2004 Compliance Report.

### **RUSSIA/BELARUS GROUP OF STATES PARTIES**

#### **FINDING – AIRSPACE RESTRICTIONS**

Russia continues to fail to meet Treaty obligations to allow effective observation of its entire territory by refusing access in three areas: below 5,100 meters (MSL) altitude over Chechnya and nearby areas of southwestern Russia since 2002; below 3,600 meters (MSL) altitude in a 39 kilometer by 31 kilometer area over Moscow, identified by Russian Air Traffic Control as the UUP-53 area, since 2006; and along the border of Russia with the Georgian regions of South Ossetia and Abkhazia since 2010.

In 2014, Russia imposed a limit of 500 kilometers on the maximum flight distance for all flights over Kaliningrad, preventing States Parties from effective observation of the entire territory of Kaliningrad in accordance with Treaty rights.

#### **BACKGROUND**

Russia imposed restrictions over Chechnya in 2002 due to conflict in the area and purported safety of flight considerations; the restrictions remain in place. Since 2005, Russia has claimed that flight within UUP-53 over Moscow below 3,600 meters is prohibited due to safety of flight considerations. In August 2014, Russia rejected the flight plan of a joint United States-Norway mission with portions of a flight leg transiting UUP-53 at an altitude according to a certified

sensor configuration (less than 3,600 meters). The mission plan was changed and the flight was conducted in the territory encompassed by UUP-53 at an altitude certified for the aircraft above 3,600 meters. Since 2010, Russia has claimed that the Georgian regions of South Ossetia and Abkhazia are independent nations not party to the Treaty and therefore, flight within 10 kilometers of their borders is prohibited.

Historically, Kaliningrad has been observed utilizing the Kubinka Open Skies Airfield maximum flight distance of 5,500 kilometers. In 2014, Russia designated Khrabrovo airfield as a new Open Skies Airfield in Kaliningrad, with an associated 500 kilometer maximum flight distance. Russia also applied this new 500 kilometer limit for observation of Kaliningrad for missions which originate from the Kubinka airfield, which has a maximum flight distance of 5,500 kilometers. This 500 kilometer limit is not sufficient to observe the entire territory of Kaliningrad in one flight originating from Kubinka Airfield.

Restrictions imposed by Russia/Belarus over military training areas in Belarus during the September 2013 Zapad joint exercise were not repeated in 2014, so this issue is considered resolved and will not be included in future Reports.

## **COMPLIANCE ANALYSIS**

*Restrictions Over/Near Chechnya and UUP-53.* Article VI, Section II, Paragraph 2 states that an observing State Party's mission plan "may provide for an observation flight that allows for the observation of any point on the entire territory of the observed Party, including areas designated by the observed Party as hazardous airspace...." Russian airspace restrictions prevent observation of these areas by certain sensor configurations at the ground resolution permitted by the Treaty.

*Restrictions Along the Russia-Georgia Border.* Article VI, Section II, Paragraph 2 prohibits flight within 10 kilometers of a non-State Party, and is the basis for Russia's refusal to allow flights within the 10-kilometer corridor of Russia where it borders the Georgian regions of South Ossetia and Abkhazia. South Ossetia and Abkhazia are internationally recognized as part of Georgia, which is party to the Treaty. Therefore flights within 10 kilometers of the border are permissible. Russian airspace restrictions prevent observation of these border areas.



*Establishment of Subordinate Maximum Flight Distance associated with Kaliningrad.* Annex E, Paragraph 5, Subsection B (3) of the Treaty indicates that States Parties are allowed to specify a special maximum flight distance to cover territories separated from the mainland by less than 600 kilometers only if that territory is not within 35% of the maximum flight distance of an already established Open Skies airfield (per Subsection A of the same paragraph). Annex A, Section III determines a maximum flight distance from the Kubinka Open Skies Airfield of 5,500 kilometers, which ensures effective observation of Kaliningrad. No Treaty provision allows a State Party to establish a sub-limit within the maximum flight distance of an established Open Skies Airfield, as Russia has done with the Kubinka Open Skies Airfield for the territory of Kaliningrad. Paragraph 1 (b) of Open Skies Consultative Commission (OSCC) Decision 3/04 states that a State Party introducing changes to Open Skies airfields will ensure that the new maximum flight distance associated with the new Open Skies airfield will provide at least the same level of effective observation of its territory as provided at the signature of the Treaty.

### *Compliance Discussions*

These airspace restriction issues have been raised by the United States and others in the OSCC and in U.S.-Russian bilateral consultations at the working level. In the OSCC, the United States continued to oppose any airspace restriction inhibiting an observing Party's right to observe any point on the observed Party's territory.

The United States has sent Open Skies notifications and made statements in the OSCC objecting to Russia establishing a separate/ subordinate maximum flight distance of 500 kilometers for flights over Kaliningrad, noting this position is inconsistent with the Treaty. In a mission report, Poland also asserted that Russia's establishment of a maximum flight distance at 500 kilometers for flights over Kaliningrad when the flight commences from Kubinka violates observing Parties' basic Treaty rights. The United States requested that this issue be discussed in the OSCC.

**RUSSIA**

**FINDING – FAILURE TO PROVIDE AIR TRAFFIC CONTROL FACILITATION**

In 2014, Russia continued not to provide priority flight clearance for certain Open Skies flights, thereby preventing States Parties from effective observation of the territory of Russia in accordance with Treaty provisions.

**BACKGROUND**

Since at least 2011, U.S. and partner Open Skies missions have not always received priority handling by Russian Air Traffic Control (ATC), sometimes resulting in cancellation of all or part of a mission. In August 2014, Russian ATC required the joint United States-Norway team to cease imaging and alter the route of flight for two segments in the vicinity of a Presidential (or VIP) movement on the ground. The Russian Federation improperly declared the VIP movement as *force majeure*, and stated that failure to accept the modifications to the two segments would result in cancellation of that flight.

**COMPLIANCE ANALYSIS**

Article VI, Section I, Paragraph 15 states that Open Skies flights “shall take priority over any regular air traffic,” and that the observed Party “shall ensure its air traffic control authorities facilitate the conduct of observation flights in accordance with this Treaty.” Failure by the observed State Party to implement this provision compromises an observing State Party’s ability to conduct an observation flight that allows for the observation of any point on the entire territory of the observed State Party.

**Compliance Discussions**

Department of State and Department of Defense officials objected to Russia’s incorrect claim of *force majeure* regarding VIP movements as well as the attempts to change an agreed mission plan through ATC orders regarding VIP movements. Department of State and Department of Defense officials have raised the issue with their counterparts, notably during bilateral meetings associated with meetings of the OSCC. To date, these efforts have not resolved this issue.

## **FINDING – AIRFIELD CLOSURES FOR HOLIDAYS**

In 2014, Russia maintained its position that its military airfields are closed for all declared national holidays and that it is unable to host missions on those days. This prevented States Parties from fully exercising their Treaty rights related to mission planning.

### **BACKGROUND**

Since 2012, Russia's closure of military airfields during periodic holidays throughout the year has caused coordination problems for Allied observation flight missions, with particular problems during the two-week period containing the May 1 and May 9 holidays. This issue had no impact on U.S. Treaty flights in 2014, but it is not clear whether the issue has been resolved.

### **COMPLIANCE ANALYSIS**

Russia's holiday airfield closures are inconsistent with provisions in Article VI related to mission planning, which contain no provisions for airfield closures in observance of holidays. States Parties extend considerable courtesy to accommodate Russia's holidays, but the May 1 and May 9 holidays prevent full 96-hour missions from taking place during that two-week period. Missions have been shortened to take place during available days.

#### **Compliance Discussions**

The United States has addressed this issue bilaterally with Russia and also objected to this practice during meetings of the OSCC. To date, these efforts have not resolved this issue and Russia continues to request other States Parties avoid conducting flights during its holiday periods.

## **FINDING – FIRST GENERATION DUPLICATE NEGATIVE FILM**

Russia continued not to provide first generation duplicate negative film copies of imagery collected during Open Skies flights over the United States.

### **BACKGROUND**

Russia has always been able to provide only a duplicate positive film copy of imagery collected during their flights over the United States and processed in

Russia because its media processing facility cannot produce a first generation duplicate negative.

## **COMPLIANCE ANALYSIS**

Article IX, Section II, Paragraph 2 provides that the State Party developing the original film negative is responsible for the quality of the original negative film and producing the duplicate positive or negative. Article IX, Section II, Paragraph 6 notes that in the event that only one original film negative is developed, the observed State Party has the right to select and receive a complete first generation duplicate or part thereof, either positive or negative, of the original film negative.

### **Compliance Discussions**

In 2014, there were no discussions concerning Russia's failure to provide first generation duplicate negative film of imagery collected during Open Skies flights over the United States.

## **PART IV: OTHER STATES' (INCLUDING SUCCESSOR STATES') COMPLIANCE WITH THEIR INTERNATIONAL COMMITMENTS**

### **MISSILE NONPROLIFERATION COMMITMENTS**

The Missile Technology Control Regime (MTCR) is the key multilateral mechanism addressing the proliferation of missiles and missile-related technology. In addition, the United States holds frequent bilateral discussions on missile-related nonproliferation issues, often with states that are not members of multilateral regimes.

*Missile Technology Control Regime.* The MTCR is a voluntary arrangement among Partner countries sharing a common interest in controlling missile proliferation. The MTCR is not a treaty and it does not impose legally binding obligations on participating countries. Rather, it is an informal political understanding among states that seek to limit the proliferation of missiles and missile technology. The MTCR Partner countries control exports of a common list of controlled items (the MTCR Equipment, Software, and Technology Annex, also referred to as the MTCR Annex) according to a common export control policy (the MTCR Guidelines). The Guidelines and Annex are implemented according to each country's national legislation and regulations. Membership in the MTCR has grown steadily since the Regime's creation in 1987, and 34 countries are now members.

The United States has sought and received separate, bilateral political commitments from nations to limit missile proliferation activities that are addressed below.

### **COUNTRY ASSESSMENT FOR NON-MTCR MISSILE PROLIFERATION-RELATED COMMITMENTS**

#### **CHINA**

#### **FINDING**

In 2014, Chinese entities continued to supply missile programs in countries of concern.

## **BACKGROUND**

In November 2000, China made a public commitment not to assist “*in any way, any country in the development of ballistic missiles that can be used to deliver nuclear weapons (i.e., missiles capable of delivering a payload of at least 500 kilograms to a distance of at least 300 kilometers).*”

## **COMPLIANCE ANALYSIS**

As mentioned above, China committed in a November 2000 public statement not to assist “*in any way, any country in the development of ballistic missiles that can be used to deliver nuclear weapons (i.e., missiles capable of delivering a payload of at least 500 kilograms to a distance of at least 300 kilometers).*”

### **Compliance Discussions**

The United States continues to engage regularly with China on missile nonproliferation issues.

## **MORATORIA ON NUCLEAR TESTING**

By September 1996, each of the nuclear-weapons states (NWS) under the Nuclear Non-Proliferation Treaty – China, France, Russia, the United Kingdom, and the United States – had declared a nuclear testing moratorium and had signed the Comprehensive Nuclear-Test-Ban Treaty, which has not yet entered into force. The scope of each moratorium has not been publicly defined. While it is difficult to assess the compliance of a given state with its own moratorium, when the scope or meaning of a moratorium is unclear, U.S. assessments are based on the U.S. position of what constitutes a nuclear testing moratorium.

The United States currently defines its own nuclear testing moratorium as a commitment not to conduct “nuclear explosive” tests.

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