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INFO LOG-00 ACDA-17 AID-00 AMAD-01 BIB-01 CFE-00 C-01 OASY-00 EB-00 OIGO-01 HA-09 H-01 IMMC-01 TEDE-00 INR-00 IO-19 L-00 ADS-00 MOFM-04 MOF-03 M-01 NRC-03 NRR-00 NSAE-00 OES-09 OIC-02 OMB-01 PA-02 PM-00 PRS-01 P-01 RP-10 SCT-03 SDEL-00 SIL-00 SNP-00 SP-00 SSO-00 SS-00 TRSE-00 T-00 USIE-00 SA-00 RPE-01 CORE-00 SNIS-00 NISC-02 SSD-01 /104W

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O 311107Z AUG 93 FM AMEMBASSY KIEV TO DNA WASHDC IMMEDIATE WHITEHOUSE WASHDC IMMEDIATE DIA WASHDC IMMEDIATE JOINT STAFF WASHINGTON DC IMMEDIATE DOE WASHDC IMMEDIATE OSIA WASHDC IMMEDIATE CIA WASHDC IMMEDIATE SECDEF WASHDC IMMEDIATE SECSTATE WASHDC IMMEDIATE 0916 INFO USMISSION USNATO USMISSION GENEVA AMEMBASSY ALMATY AMEMBASSY MOSCOW AMEMBASSY MINSK

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DEPT FOR ACDA; T, PM, EUR DOE FOR ALESSI/DP-5 JCS FOR J-5 DDIN SECDEF FOR SSD/AE OSD/ISP OUSD (A)/S&SS, AND DIA/ODB-6 CIA FOR CHIEF/ACIS OSIA FOR DIRECTOR, DEP DIR-IA-IRO NSC FOR GOTTEMOLLER NRC FOR SHERR DNA/OPAC GENEVA FOR BIEDLINGMAIER

E.O. 12356: N/A TAGS: PARM, PREL, UP, US SUBJECT: SSD: MEETINGS ON AUGUST 30

REF: GOODBY-GOTTEMOLLER TELECON 8/30/93

- 1. THIS IS SSD-931V-012. UNCLASSIFIED - ENTIRE TEXT.
2. SUMMARY: IN DAY-LONG MEETINGS THE DELEGATION MET ON THE UMBRELLA AND IMPLEMENTING AGREEMENTS ON SNDV DISMANTLEMENT, EMERGENCY RESPONSE, AND MC&A. THE UKRAINIAN SIDE REOPENED A HOST OF LEGAL ISSUES IN THE UMBRELLA AND EMERGENCY RESPONSE AGREEMENTS AS WELL AS PROPOSING TO MODIFY THE PREAMBULAR REFERENCE TO START AND THE LISBON PROTOCOL IN THE UMBRELLA AGREEMENT. PROGRESS WAS MADE IN PREPARING THE LISTS OF EQUIPMENT IN THE ANNEXES TO THE SNDV AGREEMENT BUT THE UKRAINIANS PROPOSED SO MANY CHANGES IN THE IMPLEMENTING AGREEMENT IT WOULD HAVE AMOUNTED TO A REWRITE. END SUMMARY.

UMBRELLA

3. THE SIDES CONDUCTED AN ARTICLE-BY-ARTICLE REVIEW OF THE DOCUMENT AND THE UKRAINIANS REOPENED NUMEROUS LEGAL ISSUES WHICH WERE DISCUSSED AT LENGTH BY THE SIDES. THE UKRAINIAN SIDE, CHAIRED BY MFA OFFICIAL

HRYSHCHENKO, PROPOSED DILUTING THE REFERENCE IN THE PREAMBLE TO THE START AND LISBON ACCORDS TO AVOID PARLIAMENTARY OPPOSITION. THIS ISSUE WAS REFERRED TO WASHINGTON FOR GUIDANCE IN REFTELCON. THE U.S. SIDE PRESSED HARD ON THE ISSUE OF WHETHER THE UMBRELLA REQUIRED RADA RATIFICATION BUT HRYSHCHENKO WAS INSISTENT THAT THE AGREEMENT MUST BE SENT TO THE RADA FOR SOME FORM OF APPROVAL. AFTER MUCH DISCUSSION ON A VARIETY OF LEGAL ISSUES, THE SIDES HAD MADE SIGNIFICANT PROGRESS (ALTHOUGH MANY ISSUES REMAINED UNRESOLVED) AND AGREED TO CONTINUE TO MEET IN THE MORNING.

MC&A

4. THE SIDES HELD A SHORT MEETING ON THE IMPLEMENTING AGREEMENT FOR MATERIALS CONTROL AND ACCOUNTABILITY. BOTH SIDES AGREED THAT NO REVISION WAS REQUIRED TO THE JOINT TEXT AGREED TO IN OCTOBER 1992 AND THAT THEY WERE

EAGER TO BEGIN IMPLEMENTATION OF THE AGREEMENT. (THE U.S. NOTED, HOWEVER, THAT IMPLEMENTATION WOULD REQUIRE ENTRY INTO FORCE, WHICH COULD BE DELAYED IF THE UKRAINIAN SIDE REQUIRED RATIFICATION BY THE RADA.) THE UKRAINIAN SIDE ALSO STATED THAT THE REQUIREMENTS DOCUMENT THEY HAD SUBMITTED IN JULY 1992 REMAINED VALID.

EMERGENCY RESPONSE

5. THE SIDES ALSO DISCUSSED THE EMERGENCY RESPONSE IMPLEMENTING AGREEMENT. PROGRESS WAS LIMITED DUE TO UKRAINIAN MISINTERPRETATION OF THE WORD QUOTE MAY UNQUOTE IN SEVERAL PLACES AS MEANING THAT THE U.S. WAS NOT OBLIGATED TO PROVIDE ANY ASSISTANCE. AFTER SUBSTANTIAL DISCUSSION, THE ISSUE WAS NOT RESOLVED. THE UKRAINIANS ALSO INDICATED THAT THEY MAY PROPOSE MINOR ADDITIONS TO THE EQUIPMENT ANNEX. NO OTHER SUBSTANTIVE CHANGES WERE PROPOSED.

SNDV DISMANTLEMENT

6. THE SIDES DISCUSSED THE BODY OF THE SNDV DISMANTLEMENT IMPLEMENTING AGREEMENT AND ITS ANNEXES. THE UKRAINIAN SIDE PROPOSED NUMEROUS CHANGES TO THE

IMPLEMENTING AGREEMENT WHICH THE U.S. SIDE DID NOT AGREE TO, INCLUDING THE ADDITION OF A PROVISION WHICH WOULD HAVE ENCOURAGED THE U.S. TO PURCHASE EQUIPMENT MANUFACTURED IN UKRAINE. THE ANNEXES WERE REVIEWED IN DETAIL. IN RESPONSE TO A UKRAINIAN ANNOUNCEMENT THAT THEY WOULD BEGIN DRAWING DOWN A SECOND REGIMENT OF SS 19S AT A BASE OTHER THAN THE FIRST, THE U.S. SIDE AGREED TO PROVIDE EMERGENCY RESPONSE EQUIPMENT FOR A SECOND TRAIN A REDUCED AMOUNT OF ADMINISTRATIVE AND DESIGN EQUIPMENT WAS ALSO AGREED TO. THE UKRAINIAN SIDE PUSHED STRONGLY FOR THE PRODUCTION OF THE AMVI TANKER RAILCARS AT MARIUPOL. THE U.S. SIDE AGAIN EXPLAINED U.S. COMPETITIVE PROCUREMENT POLICY, WITHOUT RULING OUT PURCHASE OF UKRAINIAN RAILCARS. THE UKRAINIAN SIDE ALSO STATED THAT THEY ARE USING BORROWED

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AMYL TANKER RAILCARS. UKRAINE RESTATED ITS HEPTYL
STORAGE REQUIREMENT AS AN IMMEDIATE NEED FOR 1600
METRIC TONS, WHICH THE U.S. SAID COULD BE ADDRESSED IN
ADDITIONAL DISCUSSIONS ON THE NEXT DAY.

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HEADS OF DELEGATION MEETING

7. IN A HEADS OF DELEGATION MEETING AT THE END OF THE
DAY, GOODBY AGREED TO PROVIDE THE UKRAINIANS THE NEXT
MORNING A REVISED TEXT OF THE DRAFT UMBRELLA AGREEMENT,
AND HRYSHCHENKO AGREED TO MEET LATER IN THE DAY TO
PROVIDE THE UKRAINIAN REACTION. THE TWO ALSO AGREED TO
HAVE EXPERTS GROUPS MEET THE NEXT MORNING, TO ADDRESS
THE SNDV, EXPORT CONTROL, AND GGCL AGREEMENTS.

HRYSHCHENKO SAID HE WAS UNAWARE OF ANY REMAINING ISSUES
ON THE LATTER TWO. ON THE UMBRELLA AGREEMENT,
HRYSHCHENKO SAID THAT PERSONALLY HE DID NOT THINK THE
SIDES WOULD BE ABLE TO SIGN DURING THIS VISIT, ALTHOUGH
IT MIGHT BE POSSIBLE TO SIGN SOON THEREAFTER. THE
DELAY WOULD BE CAUSED BY THE NEED TO CONSULT WITH THE
RADA PRIOR TO SIGNATURE, TO IMPROVE THE CHANCES OF
GETTING THE AGREEMENT RATIFIED ONCE IT WAS SIGNED.
RADA DEPUTY HORYN, WHO HAD SAT IN ON THE AFTERNOON
UMBRELLA MEETING, WOULD BE HELPFUL IN SEEKING APPROVAL.
IT WOULD HELP FURTHER IF GOODBY WERE ABLE TO MEET WITH
OTHER RADA DEPUTIES. REGARDING THE DISPUTED PREAMBULAR
LANGUAGE ON START AND THE LISBON PROTOCOL, HRYSHCHENKO
DID NOT BELIEVE IT MADE ANY SUBSTANTIVE DIFFERENCE, BUT
BECAUSE SOME GROUPS FOUND THIS REFERENCE SO DIFFICULT
TO ACCEPT, IT WOULD NOT HELP SOLVE THE BIGGER PROBLEM.
THE GOU WAS COMMITTED TO WHAT IT HAD DONE ON START, BUT
RESTATEMENT OF THAT COMMITMENT MIGHT LEAD THE RADA TO
BLOCK THE TREATY'S APPROVAL. THE GOU TRULY HOPES,
HRYSHCHENKO CLAIMED, TO PUSH START RATIFICATION THROUGH
THE RADA IN SEPTEMBER. GOODBY REPLIED THAT SINCE
HRYSHCHENKO WAS DRAMATIZING THIS ISSUE IN A WAY HE,
GOODBY, THOUGHT ACCURATE, HE WOULD SEEK FURTHER
GUIDANCE FROM WASHINGTON IMMEDIATELY. KRYZHKO AND
ROSZAK REPORTED ON THE STATE OF NEGOTIATIONS ON THE
SNDV AGREEMENT, DESCRIBING THE ISSUE THAT HAD ARISEN IN
THE BASIC AGREEMENT OVER UKRAINIAN DESIRE THAT LANGUAGE
BE INCLUDED ENCOURAGING THE PURCHASE OF EQUIPMENT FROM
UKRAINIAN MANUFACTURERS. ROSZAK SAID HE WOULD RESUME
WORK TO FINISH THE ANNEXES IMMEDIATELY.

BYRNES

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