

Information collected by the IMS is to be transmitted to the International Data Center (IDC) – a part of the Technical Secretariat responsible for data storage and processing. The IDC must make both raw and processed information available to all states parties.

The consultation and clarification component encourages states parties to attempt to resolve, either amongst themselves or through the organization, possible instances of non-compliance before requesting an on-site inspection. Clarification of ambiguous events must be provided within 48 hours of receiving a request from another state party or from the executive Council.

If the consultation and clarification mechanism does not resolve the issue, each state party has the right to request an on-site inspection in the territory of the party in question. The inspection request must be based on information collected by the IMS, obtained through NTM of verification or a combination of IMS and NTM information.

The verification regime also build in confidence-building measures to promote treaty compliance. To minimize the misinterpretation of data, each state party will voluntarily provide the Technical Secretariat with notification of any chemical explosion involving a magnitude of 300 tons or more of TNT equivalent on its territory.

Under Article XIV, the treaty will not enter into force until it has been signed and ratified by 44 states – including the five nuclear-weapon states (US, Russia, Britain, France and China) and the three ‘threshold states’ (India, Israel and Pakistan) – listed in Annex 2 of the treaty. The 44 states are all members of the CD, possess nuclear power and research reactors as determined by the International Atomic Energy Agency (IAEA).

#### **ABM Treaty Demarcation Agreements 1997<sup>26</sup>**

On 26 September 1997, the US and Russia signed a package of 4 agreements modifying the ABM Treaty, namely:

- A Memorandum of Understanding on “multilateralization” specifying that Russia, Ukraine, Belarus, and Kazakhstan will jointly succeed the Soviet Union as parties to the treaty
- A first agreement, the so-called “low-velocity agreement” covering theater defenses whose interceptors have speeds of 3km/sec or lower
- A second agreement, the so-called “high-velocity agreement” covering theater defenses with interceptors faster than 3km/sec
- An Agreement on confidence building measures

The ABM Treaty limits ABM systems that are defined as systems “to counter strategic ballistic missiles or their elements in flight trajectory”. The term “strategic ballistic missile” is not defined leaving open the question of what constitutes a “strategic ballistic missile” as opposed to a “theater ballistic missile”. Pursuant to Article VI of the Treaty, the parties agreed not to give non-ABM systems “capabilities to counter strategic ballistic missiles or their elements in flight trajectory” and not to test non-ABM systems “in an ABM mode”. However, the Treaty does not

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<sup>26</sup> First Agreed Statement Relating to the ABM Treaty; Second Agreed Statement Relating to the ABM Treaty; a Confidence-Building Measures Agreement, and the Regulations of the Standing Consultative Commission. Opened for signature 26 September 1997.