

NATO and Missile Defence: Stay tuned – this could get interesting

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Key points

- At the Istanbul Summit, NATO approved “the principle” of establishing an “Active Layered Theatre Ballistic Missile Defence programme”.
- There is still no genuine consensus assessment in NATO on missile defence, and achieving it is going to be a real challenge due to key differences between the United States and European allies.
- The initial proposal for a NATO Theatre Missile Defence System may turn out to be a Trojan horse for a more expansive US-style missile defence system for protecting Alliance territory, forces and population centres against the full range of missile threats.
- NATO threat assessments on ballistic missile proliferation, the NATO feasibility studies on missile defence and the NATO Staff Requirement for ALTBMD are all classified. Why?
- The decision-making process has thus far been dominated by secretive working groups of government officials and defence industry representatives.
- Decisions to move forward on NATO missile defence architecture are being taken without any parliamentary oversight and debate.
- US officials are looking to liberalise export controls on missile technology transfers to Europe to facilitate NATO deployment of missile defence.

Introduction

At a recent international conference in Germany on transatlantic missile defence (MD), a NATO official completed his presentation on developments within NATO’s Missile Defence Project Group with the observation: “Stay tuned this could get interesting”. He was referring with some admiration to the fact that NATO was beginning to get its act together in developing a MD architecture, and while many political and technical problems remained to be resolved, the message was that NATO was moving from first principles to issues of practical implementation.

This was confirmed by the NATO Istanbul Summit Communiqué, which in relation to missile defences, states:

- We are examining options for addressing the increasing missile threat to Alliance territory, forces and population centres through an appropriate mix of political and defence efforts, along with deterrence. We note the initiation of the feasibility study on missile defence decided at Prague to examine options, and we continue to assess the missile threats. (para 19)
- [We have today] directed that work on theatre ballistic missile defence be taken forward expeditiously. In this context we noted the approval of the principle of the establishment of a NATO Active Layered Theatre Ballistic Missile Defence programme; welcomed the willingness of nations to make the tri-national Extended Air Defence Task Force available to the Alliance; and noted ongoing work by the NATO Military Authorities in relation to the defence of deployed NATO forces, including the NRF, against theatre ballistic missiles. (para 21)
- We welcome the progress made in [in the NATO Russia Council] advancing practical cooperation on theatre missile defence (para 39)[1]

From an arms control and disarmament perspective, however, missile defences within NATO have the potential to be as divisive and destabilising as the deployment of US tactical nuclear weapons in Europe in the 1980s. This BASIC Note sets out the current state of play of MD plans in NATO, the background to the MD-related decisions taken at the Istanbul summit and potential issues of future concern.

US Missile Defence Leadership

Current US missile defence thinking anticipates a multi-layered architecture to destroy hostile warheads in all stages of flight. Systems currently under development include infrared satellites to detect launches; ground & sea based early warning and X-band radar for tracking; and at least eight different kinetic energy (i.e. hit-to-kill missile interceptors) and directed energy (i.e. lasers)

systems. President Bush has promised that a limited Ground-based Mid-course Defence (GMD) system will be operational by the end of September 2004 – just a month before the Presidential elections.

This will consist of six silos at Fort Greely, Alaska, and four at Vandenberg Air Force Base in California; each silo will contain one interceptor missile. More are expected to follow in succeeding years. The latest news, however, is that because of continuing delays, they are likely to only field perhaps five interceptors by September, the remaining five at some later date. The Bush administration is also exploring the possibility of expanding the nascent US missile defence system into Eastern Europe as a protection against an attack from the Middle East.[2] Discussions have been held between US Defence Department officials and recent NATO members Hungary, Poland and the Czech Republic regarding the possibility of hosting underground silos for US interceptor missiles on their territory.

The Debate Within NATO

Within NATO a more cautious approach to missile defence is being taken, partly due to transatlantic tensions over the nature and scope of the threat, the feasibility, and cost of missile defence solutions.

Currently NATO is spending modest sums of money on feasibility studies, while trying to arrive at common threat assessments. Differences of opinion between the United States and most of the other NATO member states regarding how to deal with 'states of missile proliferation concern' are at the heart of transatlantic tensions. NATO's own threat assessments remain classified, but it is clear that it is the Bush administration that is making the running on this issue within the alliance.

But while most European NATO governments and large swathes of public opinion (as far as can be known – few politicians care to ask) think building a defence to protect the US mainland from missile attack is costly and unnecessary, many analysts and decision-makers in Europe are coming around to the idea of developing limited 'theatre' missile defence systems.

However, the missile defence programmes of Europe and the United States appear to be motivated by vastly different strategic concerns. While the Bush administration is determined to push ahead with an ambitious 'layered' system to guard against a long-range missile attack, Europe is primarily concerned with protecting forward-deployed forces and naval fleets from cruise missile and short-range ballistic missile attack.

Many countries in Europe, including France, Germany, Italy and the United Kingdom, are currently engaged in developing some kind of limited missile defence capability. For the most part these are sea-based 'point defence' systems designed to protect against cruise missile and ballistic missile attack. They have a more limited capability than similar sea-based systems being researched by the Pentagon.

NATO and Theatre Missile Defence

The most ambitious European MD system currently under development is NATO's ongoing feasibility study on the development of a Theatre Missile Defence system. NATO labelled anti-missile systems as the "Number one new equipment priority" as far back as 1993.[3] And NATO's new strategic concept from 1999 stated:

"The alliance's defence posture against the risks and potential threats of the proliferation of NBC weapons and their means of delivery must continue to be improved, including through work on missile defences." [4]

NATO awarded two transatlantic consortia with contracts in June 2001 to study the technical feasibility, costs and timescales for developing a TMD system. The studies were completed in December 2002, at a cost of \$13.5 million[5] - neither has been made publicly available.

Though the initial feasibility study contracts were small, the discussion in NATO has gradually evolved to include consideration of both a lower and upper-tier capability. If NATO does eventually develop a workable upper-tier TMD capability, the alliance will be providing itself with the ability

to protect not just forward-deployed troops, but also border areas and even cities from medium-range ballistic missile attack.

NATO's Prague Summit declaration (21 November 2002) committed member states to a NATO feasibility study to examine "options for addressing the increasing missile threat to Alliance territory, forces and population centres in an effective and efficient way through an appropriate mix of political and defence efforts, along with deterrence". A transatlantic industrial consortium led by Science Applications International Corporation (SAIC), of McLean, Virginia, (US) won the 15 million Euros contract to undertake the feasibility study. Other firms in the SAIC consortium are Boeing (US), Diehl (GE), EADS ST (FR), IABG (GE), TNO (NL), Raytheon (US), Alenia Spazio (IT), Thales (FR) and ACSI.[6] This latest feasibility study was intended to provide the Alliance "with a broad perspective on its MD options to facilitate consultations which may lead to future decisions on proceeding with such a system of systems".[7]

A further 18 months of SAIC-led feasibility work, culminated in the agreement of a NATO Staff Requirement (NSR) by the Conference on National Armament Directors (CNAD) on 12 May 2004 for an Active Layered Theatre Ballistic Missile Defence programme (ALTBMD). This decision by the CNAD, a working group of government officials from defence ministries in member states, was formally rubber-stamped "in principle", by the NATO Heads of State in Istanbul.

The ALTBMD NSR is a 500 page "highly classified" document that sets out 169 architecture requirements for the proposed NATO TMD system. These architectural requirements include: a surveillance capability over the entire theatre; detection and tracking capabilities; launch point estimates and impact point predictions; and engagement coordination and consequence management (e.g. dealing with debris fallout). The CNAD is also tasked with developing a follow-on Programme Plan for implementing the NSR.

In short, the initial proposal for a NATO TMD system may turn out to be a Trojan horse for a more expansive US-style missile defence system for protecting Alliance territory, forces and population centres against the full range of missile threats.

So, why is this a concern? Isn't the protection of populations a function of NATO?

Issues of Concern

Lack of parliamentary oversight

In terms of threat assessment, for example, current practice in NATO is for confidential national memos on the nature of the threat to be exchanged between officials, who then meet as an 'expert group' each month to debate and refine the assessments. The aim is to reach a consensus threat assessment, which is then passed to Ministers. Where consensus has not been reached, Ministers will be informed of the extent of the agreement/disagreement. There are currently no procedures for outside or independent scrutiny of NATO threat assessments.

Even NATO's own parliamentary assembly does not get to see the classified threat assessments, despite routinely asking for them. (Instead they have to rely on their own intelligence assessments or read BASIC briefings!). The official reason for this is that many of the parliamentarians do not have security clearance, but is this still an acceptable reason for denying crucial information to elected representatives? There is clearly a balance to be struck between transparency and openness, but NATO member states are all parliamentary democracies and they are expected to act (pass or implement laws and spend taxpayers' money) on threat assessments and feasibility studies that they are not allowed to see. This was untenable during the Cold War when the threat was largely known, and it is even more indefensible in an enlarged NATO of 25 member states seeking to confront amorphous, multi-faceted and fast-changing threats.

In the EU, in contrast, the decision to adopt a new constitution not only requires ratification by member state parliaments, but will also be preceded in most cases by referenda. While the decision to build a NATO missile defence system is arguably of a lesser magnitude, it does have enormous strategic, political and economic implications. The fact that there has been almost no prior-parliamentary scrutiny of this decision throughout NATO member states is nothing short of

scandalous.

Opportunity costs

The cost argument fits into a wider debate over the respective defence budgets of Europe and the United States. European governments are being placed under increased pressure to fulfil a larger number of capabilities with a fairly stagnant pool of resources. And while missile defence figures on the list of priorities for European NATO states, there are many other capabilities much higher on the list (such as strategic lift, air-to-air refuelling and precision-guided munitions). Europe's ability to commit to an expanded missile defence system will also be hampered by the inability – or unwillingness – of many European NATO states to increase their respective defence budgets. European governments are increasingly unable to significantly raise taxes owing to the constraints imposed by EU enlargement, while domestic pressures ensure that funding for education and health retain precedence over the armed forces.

The weaponization of space

There are also serious concerns in Europe regarding continued US development of advanced space weaponry – in particular, the Space Based Laser (SBL) and space based kinetic kill vehicles – for use in the system. To many these technologies suggest a more expansive aim for missile defence: as a possible means for the United States to weaponize space and achieve dominance of the ultimate military high ground. European officials are seriously unnerved by such thinking as they believe any attempt to 'dominate' space would lead only to a costly and destabilising arms race.

Undermining alternative solutions

Another clear division between Europe and the United States is Europe's continued faith in the power of multilateral agreements and processes of engagement to check the spread of WMD and their delivery systems. For instance, NATO pursues a twin approach to the problem of WMD proliferation based on defence and military solutions coupled with arms control. The concern among many Europeans is the extent to which the United States is pursuing the former approach and neglecting the latter.

In the field of ballistic missile control, one focus of attention is the Hague Code of Conduct against Ballistic Missile Proliferation (ICOC) agreed in November 2002. The Code establishes both international norms against proliferation and modest confidence building measures, and has garnered a great deal of diplomatic support. But more concerted action is needed to turn this Code into a set of legally binding obligations and to provide real enticements to states like North Korea and Iran to abandon missile development. In short, if the Code contains neither sticks nor carrots it is unlikely to be very effective. Such a view was supported by many of the nations involved in the Code's negotiations. Other countries, above all the United States, strongly opposed the introduction of such incentives, believing that they would actually encourage continued ballistic development by 'states of concern' to force further concessions and benefits.

Undermining the Missile Technology Control Regime?

In order to facilitate NATO deployment of missile defence in Europe, US officials are exploring ways to liberalise export controls on missile technology transfers. US export control regulations serve to balance two competing priorities: safeguarding critical US technologies and ensuring that US allies get the technologies that they need. Currently licensing exemptions for Australia and the UK are being sought in Congress, and a system of more open licensing for collaborative transatlantic missile defence projects could follow. While the US authorities will also assure about the risk of technology diversion from Europe to third states, concerns also persist in how such liberalisation fits with commitments under the Missile Technology Control Regime.

Conclusions

All the noises coming out of NATO are giving assurances that the proposed ALTBMD system is limited and purely protective in nature. But NATO officials will find it difficult to square this reasoning with the strategy of 'preventive war' in the United States that earmarks missile defence as a tool of offensive power-projection. The US military will enjoy greater freedom to attack when and where it pleases since the homeland will be secured against ballistic missile attack. Extending this cover to European NATO allies has some perverse logic, but it may mean that diplomacy and multilateral arms control will take a back seat to unilateral force of arms – as was the case in Iraq. Clearly this developing US agenda is divergent from the cooperative security model that European governments support.

Cooperative engagement and multilateralism are the key tenets of European international thinking. After all, this is exactly what the EU is built on. Missile defence is a diametrically different approach – symbolically putting up a wall against the rest of the world. Parliamentarians across Europe urgently need to wake up to developments that are taking place behind their backs.

Notes

[1] Istanbul Summit Communiqué, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council, NATO Press Release (2004)096, 28 June 2004, URL <<http://www.nato.int/docu/pr/2004/p04-096e.htm>>.

[2] Jonathan S. Landay, "U.S. explores expanding missile defense system to Eastern Europe", Knight Ridder Newspapers, 27 June 2004, URL <<http://www.realcities.com/mld/krwashington/9026889.htm>>.

[3] "NATO in search for missile 'umbrella'", London Daily Telegraph, 29 December 1993.

[4] The Alliance's Strategic Concept, approved by the heads of state and government participating in the meeting of the North Atlantic Council in Washington, DC on 23-24 April 1999.

[5] "NATO's Theatre Missile Defence System Reaches New Milestone", NATO Press Release, 5 June 2001.

[6] "NATO Missile Defence Feasibility Study Transatlantic Industry Study Team selected", NATO Press Release (2003)109, 26 September 2003.

[7] Ibid.