

## Written Submission to the Defence Select Committee by British American Security Information Council (BASIC)

*BASIC is an independent think tank and registered charity promoting innovative ideas and international dialogue on nuclear disarmament, arms control, and nonproliferation. Since 1987, we've been at the forefront of global efforts to build trust and cooperation on some of the world's most progressive global peace and security initiatives, advising governments in the United States, United Kingdom, Europe, the Middle East and Russia. Through an approach based on active listening, understanding and empathy, BASIC builds bridges across divides and lays new pathways to inclusive security.*

### 1. Summary

1.1 This evidence relates primarily to the US decision to leave the INF Treaty and its impact on wider nuclear arms control, strategic stability and non-proliferation diplomacy. The INF Treaty crisis is part of a broader deterioration of bilateral relations, in part caused by the United States withdrawal from the ABM Treaty in 2002 and Russia's illegal annexation of Crimea in 2014. More needs to be done to engage Russia on the INF Treaty. The UK should propose mutual technical inspections of alleged INF Treaty violating systems, the 9M729 and MK-41 Launchers, to restore compliance. The collapse of the INF Treaty could lead to a new nuclear arms race and damage non-proliferation diplomacy.

### 2. INF Treaty Violations

2.1 It appears that Russia has violated the Treaty, though this is a balance of informed assessment of information in the public domain. The United States has been accusing Russia of violating the Treaty since 2014. The Trump Presidency then claimed early in 2017 that Russia had deployed the missile in question: the 9M729.<sup>1</sup> NATO allies have more recently hardened their stance against Russia, with subsequent declarations reflecting an emerging consensus that Russia is violating the Treaty and that action should be taken within the confines to the Treaty to return Russia to compliance; the NATO Foreign Ministers released a statement on 4th December 2018 noting, 'allies have concluded that Russia has developed and fielded a missile system, the 9M729, which violates the INF Treaty'.<sup>2</sup> President Trump's announcement in October of his intention to leave the Treaty appeared to break with the developing consensus on how to deal with the Russian violation, taking allies and probably many of his own advisers by surprise. The United States has issued more details about its assessment of non-compliance, citing that Russia has deployed several battalions of the 9M729 and in November the Dutch Government stated they had independent evidence confirming the Russian violation.

2.2 Meanwhile, Russia has long counter-accused the United States of violating the Treaty in three ways. First, that US missiles developed for missile defence violate the Treaty. Second, that the MK-41 missile defence launchers deployed in Romania and Poland as part of the European Phased Adaptive Approach (EPAA) could be repurposed to fire Tomahawk

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<sup>1</sup>Statement of General Paul Selva, USAF Vice Chairman of the Joint Chiefs of Staff before the 115th Congress House Armed Services Committee: Military Assessment of Nuclear Weapons Requirements', *House Armed Services Committee, March 2017*, <https://docs.house.gov/meetings/AS/AS00/20170308/105640/HHRG-115-AS00-Wstate-SelvaUSAFP-20170308.pdf>

<sup>2</sup> U.S. Department of State, Press Availability at NATO Headquarters, Brussels, Belgium, December 4, 2018, <https://www.state.gov/secretary/remarks/2018/12/287873.htm>.

missiles. Third, that US unmanned aerial vehicles with a range of 500 to 5,500 km also violate the Treaty.

2.3 Whilst many people believe these claims lack certain credibility, accusations that the MK-41 launchers could violate the INF Treaty merit further investigation. The INF Treaty defines a GLCM launcher as 'a fixed launcher or a mobile land-based transporter-erector-launcher mechanism for launching a GLCM' and a GLCM as a 'ground-launched cruise missile that is a weapon-delivery vehicle'. US officials insist that the version of the MK-41 launchers deployed in Romania and Poland will not be able to fire Tomahawk cruise missiles and that they 'lack the software, fire control hardware, support equipment, and other infrastructure needed to fire offensive ballistic or cruise missiles such as the Tomahawk'.<sup>3</sup> Nevertheless, beyond these statements, the United States has done little to ameliorate Russian concerns, and indeed calls from some in Congress to expand the mission of this infrastructure exacerbates Russian concerns. For example, the Senate report accompanying the National Defence Authorisation Act 2018 urged the Administration to 'evaluate existing U.S. missile systems for the modification to intermediate range and ground-launch', including systems deployed in Romania and Poland.<sup>4</sup> This certainly implies the MK-41 is sufficiently adaptable as to break the terms of the INF Treaty. It may only be software differences that prevent the MK-41 launchers in Poland and Romania from launching offensive missiles. In addition, Russia has not been publically invited to inspect the systems during this dispute.

2.4 Nevertheless, there remains a difference between the US deployment of systems for other purposes that could potentially be used for Treaty-violating missiles with modification and Russia deploying a missile that violates the INF Treaty here and now.

### 3. Possible pathways to compliance

3.1 European NATO allies could promote a new dialogue with Russia based on mutual inspections. Both Russia and the United States maintain they are in compliance with the Treaty, offering hope that there may yet be the basis for their demonstration of compliance through mutual inspections of the 9M729 missiles and MK-41 launchers. Inspections under the INF Treaty ended in 2001. If these systems are found to be in violation of the Treaty, there are technical solutions. The fuel canisters of the 9M729 could be changed and there may be possible hardware changes to the MK-41 launchers, to restore both sides confidence in the Treaty.

3.2 More could be done to constructively engage Russia in assuaging their concerns around European security, and particularly missile defence. Indeed, proposals to improve European BMD in response to Russian missile developments would exacerbate tensions driving the dispute over the Treaty. Europeans could also push back harder against the false narrative amongst some within both the United States and Russia that arms control agreements unfairly constrain them. Arms control and risk reductions measures are needed most when tensions are high and are vital tools for solving security dilemmas.

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<sup>3</sup> U.S. Department of State, Bureau of Arms Control, Verification, and Compliance, Refuting Russian Allegations of U.S. Noncompliance with the INF Treaty, Fact Sheet, Washington, DC, December 8, 2017, <https://www.state.gov/t/avc/rls/2017/276360.htm>.

<sup>4</sup> Jeffrey Lewis and Aaron, 'Paranoia and Defense Planning: Why language matters when talking about nuclear weapons', *War on the Rocks*, October 2018.

#### 4. Consequences of US withdrawal from the INF Treaty

4.1 In the immediate term, the Russian violation of the INF Treaty does little to alter the military balance in Europe. NATO has overwhelming conventional superiority and it is unrealistic to consider any scenario in which these particular systems would play a decisive role against NATO in determining outcomes.<sup>5</sup> In any case, the United States already deploys a number of sea-launched and air-launched cruise missiles and is developing a new nuclear sea-launched cruise missile and a nuclear air-launched cruise missile (LRSO), neither of which violate the Treaty but which play a similar strategic role.

4.2 However, the collapse of the Treaty would deepen the crisis in arms control and could lead to a renewed nuclear arms race. It may be increasingly difficult for the United States and Russia to extend New START or negotiate a successor Treaty, and there could emerge a situation where there were no mutual agreed limits on nuclear arsenals for the first time since 1972. Entering into a post arms control situation in which there is no understanding of how this could impact upon European security is reckless.

4.3 The demise of the Treaty squanders the opportunity to correct any Russian violation, and instead opens the way for Russia to develop more nuclear ground-launched INF missiles at the cost of European security, to offset NATO's conventional superiority. It also removes any legal basis for pressuring Russia through verifications and sanctions, and particularly any recourse through the Special Verification Commission. US withdrawal is deeply counter-productive.

4.4 Moreover, the decision to leave strengthens the narrative that it is largely the United States that is to blame for the perilous state of the NPT and the wider non-proliferation regime. This opinion is already based upon the US withdrawal from the Iran Deal, a President who is seen to engage in nuclear sabre-rattling, a Nuclear Posture Review that plans to develop and deploy new nuclear weapons and expands the scope of US nuclear deterrence, and the expressed resistance to President Putin's request to extend New START. Such issues will set the tone for the NPT Review Conference and could make a consensus document even more unlikely as well as impact relations with Allies and ability of the United States to lead internationally on non-proliferation and disarmament issues

#### 5. The relevance of the Treaty and possible amendments

5.1 A number of people have argued that the INF Treaty is a relic of the Cold War and no longer relevant to today's strategic environment. They talk about the proliferation of actors with ground-launched intermediate-range missiles and specifically cruise missiles. John Bolton, now US National Security Advisor, wrote in 2011 that 'the INF Treaty has far outlived its usefulness in its current form' and should be scrapped if China didn't join, and in March 2018 US Admiral Adam Harris advocated for deploying US ground-based missiles in the Pacific.<sup>6</sup> This seems to be based upon a sense of fairness rather than strategic calculation, as US ground-launched missiles would be of little strategic benefit in the Pacific, being more vulnerable than air and sea-launched missiles. Tearing up the Treaty destroys the existing normative precedent against ground-launched intermediate-range missiles, and has little or no benefit to US strategic deployments. It would be far more logical to try to engage China,

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<sup>5</sup> Kuhn, Ulrich. and Peczei, Anna. "Russia, NATO, and the INF Treaty" *Strategic Studies Quarterly* Spring 2017.

<sup>6</sup> John Bolton and Paula DeSutter, 'A Cold War Missile Treaty That's Doing Us Harm: The U.S.-Soviet INF pact doesn't address the Iranian threat', *Wall Street Journal*, August 2011, <https://www.wsj.com/articles/SB10001424053111903918104576500273389091098>

and other states, from within the confines of the Treaty and in the context of the NPT.

5.2 It has also been suggested that the Treaty could be regionalised, so rather than *banning* these missiles, it would merely *limit* their deployment within the European theatre. While such a proposal would weaken the existing provisions of the INF Treaty, given the severity of the crisis this proposal deserves investigation. If US and Russian concerns over China are genuinely the driving force behind the objections to the INF Treaty, regionalisation could offer a means to encourage China to join discussions while upholding the security benefits the INF Treaty has brought to the European continent. Nevertheless, it would be challenging to verify that ground-launched missiles were not easily transportable into the European theatre.

## **6. Proposals for the UK**

6.1 First, the UK should firmly advocate against the development and deployment of nuclear cruise missiles in Europe and highlight the risks dual-use systems that can deliver conventional and nuclear payloads. The UK does not see a military need for intermediate-range nuclear forces, for itself or for NATO. It maintains a 'minimum credible deterrent', and should highlight the benefits of such a restrained posture for other nuclear weapon states, including the United States and Russia.

6.2 Second, whilst the UK has not developed or deployed ground-launched intermediate missiles, it could unilaterally offer to join the Treaty and discuss the option with France. This would strengthen the normative base of the Treaty and its verification provisions, and could be the first step to further multilateralising the Treaty.

6.3 Third, the UK should hold discussions with NATO allies, specifically the United States, Poland, and Romania, as well as Russia about mutual inspections of the alleged violating systems and explore options for offering technical reassurances to Russia that the MK-41 launchers cannot be repurposed. It may help to use the good offices of NATO to initiate this.

6.4 Finally the UK could consider measures to mitigate the worst consequences of the collapse of the INF Treaty on international nuclear diplomacy, in particular by more assertively pressing the case for arms control with its US and other NATO partner.

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