



Select Committee on International Relations

Corrected oral evidence: Nuclear non-proliferation treaty and nuclear disarmament

Wednesday 6 February 2019

10.40 am

Watch the meeting

Members present: Lord Howell of Guildford (The Chairman); Baroness Anelay of St Johns; Lord Grocott; Lord Hannay of Chiswick; Baroness Helic; Baroness Hilton of Eggardon; Lord Purvis of Tweed; Lord Reid of Cardowan; Baroness Smith of Newnham; Lord Wood of Anfield.

Evidence Session No. 9

Heard in Public

Questions 87 - 93

Witnesses

I: François Heisbourg, Special Adviser, Fondation pour la recherche stratégique, and Senior Adviser for Europe, International Institute for Strategic Studies; Alexander Kmentt, former Director, Department for Disarmament, Arms Control and Non-Proliferation, Austrian Federal Ministry for Europe, Integration and Foreign Affairs.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

François Heisbourg and Alexander Kmentt.

Q87 **The Chairman:** Professor Heisbourg and Ambassador Kmentt, good morning and welcome. Thank you for sparing some of your valuable time to share thoughts with us on the issues before us, which of course relate to non-proliferation, nuclear disarmament and the general arms control environment at the moment. We are very much looking forward to hearing your views. Formally, I should advise you that this is a recorded session. There will be a transcript afterwards and, should you think that it does not reflect what you said, then of course you can alter it. I remind my colleagues to declare any relevant interests when questioning.

We are at a moment of some change and turmoil in this whole scene and we are anxious to ascertain the directions that we should be moving in. I shall begin by asking both of you a rather general question about the current level of nuclear risk and what it means for Europe at the moment. Of course, very much in our minds are the latest pronouncements from Washington about the Russian violations of the Intermediate-Range Nuclear Forces Treaty. That is part of the story. Also in our minds is the upcoming Review Conference on the Non-Proliferation Treaty, along with many other aspects. At a fairly general level, let us just start with your assessment of how good or bad the scene is—whether we are facing new horrors of arms races and looking at a deterioration in the general arms control environment. Maybe we could start with Professor Heisbourg.

François Heisbourg: Thank you. I am glad to see that you are in good health, Sir, and to see some good friends around the table. I shall make essentially two remarks. The first is that during the first quarter of a century after the end of the Cold War, nuclear weapons did not play a major active role in European security. They were a matter of extra-European concern—Iran, North Korea and the like—but in the crises that occurred in Europe nuclear weapons had little direct or even indirect influence. Think of the Balkan wars of the 1990s; nuclear weapons were not materially important. This changed symbolically and practically in 2014 with the Russian operations in Ukraine. Symbolically, one can pinpoint the moment during the Crimean crisis when Mr Kislyak gave a big show on Russian television, on RT, in which he proclaimed against the backdrop of a nuclear H-bomb test in the 1960s that if the Americans were to respond to events in Crimea, Los Angeles would be reduced to nuclear radioactive ash. That was his form of words. From that moment onwards, we shifted into a different era. The post-Cold-War era was over from that moment. We do not yet know what the new era is called, but it is certainly a new era, in which nuclear weapons are a substantial part of the security equation in Europe.

My second point relates to the INF.¹ The evidence is pretty clear: the Russians have been violating the treaty with the development of a ground-based cruise missile derived from the Kalibr weapon, which was

¹ The Intermediate-Range Nuclear Forces Treaty

used in air-launched and sea-launched modes in recent operations, notably in Syria. This is NATO's unanimous and considered view. It took some time to reach that conclusion. One can always complain about the rather cack-handed manner, if I may use that expression, in which the Americans went about retailing the information that they had on what Russia was doing, but at the end of the day it is clear that there is a violation.

What is this about? It is not about a replay of the 1970s and early 1980s. At that time we had a situation of symmetry in military terms in Europe, the east-west balance. It was symmetry at all levels of what was then called the escalatory ladder—that is, if there was an upset on one of the rungs of the escalatory ladder, that upset had to be met by corrective action from the other side in order to re-establish the balance. That is what happened with the INF when the Soviets deployed SS20s in the 1970s; Helmut Schmidt came to the International Institute for Strategic Studies in London in 1977 and essentially laid out what would eventually become NATO's response to Soviet INFs, and that response was deploying like-for-like American INFs in the form of the Pershing II rockets and ground-launched cruise missiles.

Today the situation is entirely different. There is no symmetry in terms of the correlation of forces between Russia and the West. Russia is in a situation where there is no approximate balance at the various rungs of a non-existent escalatory ladder. Russia attempts to make up for its post-Soviet weaknesses by displaying great political and military agility, investing heavily in operations short of war and employing—I use the word with heavy quotation marks—'technological creativity', including great ambiguity about the precise nature of its new weapons systems. It is erasing and blurring the distinction between conventional and nuclear. After all, Kalibr is marketed on the export market as a conventional weapon; it is called Klub. As is the case for China, to which I will return in a second, Russia is not interested, certainly not for the time being, in maintaining the clear distinction that had prevailed until now between nuclear and non-nuclear. The INF, as its name indicates, was about intermediate-range systems with a nuclear function—the 'N' is for nuclear. The SSC-8, to use the NATO code, can be conventional or nuclear, and Russia is not interested in lifting that ambiguity.

If that is the situation, the response by the West in general, and by Europe in particular, is not necessarily going to be like for like. In the 1970s, we responded by deploying like for like. Today, in responding to Russia's INF, we have to consider other responses than INF. Those responses can be military or political or indeed both. At the military level, we are going to talk about horizontal escalation and reinforcing NATO in central and eastern Europe. That will certainly focus Russia's attention more than developing the western equivalent of Kalibr. We can also develop clearly conventional weapons designed to cope with Russia's so-called A2AD bubble—the anti-access area denial bubble—that Russia has built up around its western approaches in Kaliningrad, Crimea and so on. In the political arena, we may find it convenient not to respond to

Russian INF with our own INF if Russia refrains from deploying its own INF within range of our forces. That is the stated intention of Vladimir Putin; I am not sure whether he is entirely serious about it, but we might as well take him at his word for the time being. We can also express readiness to do what President Putin suggested in 2007, which was to broaden the INF Treaty to China, India, Pakistan, Israel and so on. Whether that is convenient or not—and the answer is pretty clear: it is not very convenient for many of these states —that is after all what he suggested.

A word about China. Russia's violation of the INF Treaty is not solely about Europe and it may not even be principally about Europe. It may be principally about regaining margins of manoeuvre—as I pointed out, it is making up for its various weaknesses—but in particular to cope with the Chinese problem. The same happens to be true of the USA. There seems to be a common Russian and American interest in having a free hand vis-à-vis whatever the Chinese are doing. The Trump Administration have been fairly prompt to seize on Russia's violations to exit the treaty, and Russia is not particularly prompt in sticking to it.

This is my last point. The INF Treaty is part of a broader Russian positioning, which I have already talked about. It is part of a broader trend: we should be looking not simply at INF but at the next stage, which is what happens to New START, the strategic arms reduction treaty, which expires in 2021. The Russians have made suggestions for talks. I am not sure that they are meant in good faith but, again, why not pick up the suggestion? I think it is basically in Europe's interest for START to be extended and renewed. In a way this is more important than the INF Treaty, but I suspect that we will want to come back to that later in this discussion.

The Chairman: Thank you. You paint quite a gloomy picture. As you say, the symmetry of the 20th century no longer exists. Alexander Kmentt, you have written some fairly strong views about the upcoming NPT situation; you have said that it faces serious challenges and could be in deep trouble. Give us your view on that and maybe the broader scenes that Professor Heisbourg has just touched on—the collapse of the symmetry, the potential for the blurring of tactical and strategic weapons and the general unease that is prevailing throughout this whole scene.

Alexander Kmentt: Thank you for inviting me. It is a great honour to have this opportunity. I start with a disclaimer: I am speaking here only in my personal capacity. I was invited with the job that I had until 2016, not in my current position as Austrian Ambassador on the Political and Security Committee in Brussels, so these are only my personal views.

I agree with the gloomy picture. The current level of nuclear risk is gravely underrated and, certainly in the public discourse, not taken seriously enough. There are many risk drivers, some of which have been mentioned. I believe that the current relationship between the US and Russia and between Russia and NATO is at a very low point, with no confidence and little dialogue. Some of the certainties of the dialogues in

the Cold War have disappeared. One concern is that many linkages are being made between security issues and political issues, and of course we have new developments: hybrid threats, cyber and disinformation as a weapon, which is an important issue. The risk of escalation and miscalculation has increased, which is one of the reasons why the famous Doomsday Clock has been set to a level where it last was in the 1980s, for good reason.

The likely demise of the INF Treaty is a calamity for Europe, from my perspective, and I think all efforts have to be made to try to salvage that crucial treaty, specifically for the security of Europe, if it is not too late already. Beyond Europe, there are other nuclear drivers that are risky. On the non-proliferation side there is the JCPOA,² which from our perspective is a crucial treaty to shore up the non-proliferation pillar of the NPT, and the norm against non-proliferation has been seriously put in doubt by the US withdrawal from the treaty. Again, it is important to keep going. Then we have the still dangerous and unclear situation in the DPRK. We have a potential nuclear hotspot between India and Pakistan, where we also have nuclear security and safety concerns. We have the Middle East, with all its manifold problems; specifically in the NPT context, the weapons-of-mass-destruction-free zone in the Middle East is very unclear. And we have a confidence crisis in the NPT itself. So there are many risk drivers and serious concerns for the non-proliferation and disarmament regime. It is extremely important to try to focus on this with all the political attention that can be mustered.

The Chairman: Thank you for that. Lord Hannay, would you like to pursue that?

Q88 Lord Hannay of Chiswick: My question is for François Heisbourg and concerns the INF. I am not quite clear whether what you are suggesting is effectively a kind of regional approach or a global approach to the INF issue. A regional approach would presumably be built on non-deployment by either Russia or the United States of the weapons which the Russians have and which Americans may soon have in Europe. A global approach would involve a much wider range of actors, to which you referred. Do you think that the two are perhaps sequential or do you think that you have to choose one or the other and go for it?

François Heisbourg: In answer to the first part of your question, to the extent that the security of Europe is focused on Europe—it is a tautology, but it happens to be true—first and foremost we have to have a regional approach. If Russia is violating the INF Treaty, we have to respond by countervailing measures. Those measures, as I suggested, should primarily not look at the deployment of INFs—that is where we are in a different situation from that of the 1970s—but make it quite clear to the Russians that there will be consequences. In my view, the easiest way to do that is to continue building up the extended forward presence of NATO in central and eastern Europe. That is a powerful way to remind Russia of

² The Joint Comprehensive Plan of Action (the Iran nuclear deal)

the risks that it runs by doing things that are not conducive to strategic stability.

The A2AD dimension, which I mentioned, is tricky. Russia has built up quite powerful defensive bubbles around its western approaches, which make the task of responding to possible Russian aggression towards the easternmost members of NATO risky. Therefore, it makes sense for us to improve our capability of pricking those A2AD bubbles, as we are doing. However, we should make it quite clear that whatever we develop in this respect should maintain the clear distinction between conventional and nuclear—a distinction that we have maintained until now. This should be in the conventional round.

Even as the Soviets/Russians and the Americans were developing cruise missiles during the 1970s and 1980s and onwards, they were at great pains—and have been until the last five years—to maintain the distinction between cruise missiles that would be nuclear-tasked, and therefore counted against the quotas in the New START treaty, and the missiles vis-à-vis the INF. I think that it is in our interest to maintain that distinction, even if the Russians now appear to believe that it is immaterial. That is why there is apparently little trepidation in Russia at the prospect of the START treaty running out in 2021, and there is little trepidation, if any, in Russia about the confusion created between the nuclear and the non-nuclear roles of Kalibr. When Kalibr was used in Syria, it was used in its conventional form, but Russia is now developing in ground-based mode, in violation of the INF Treaty, a nuclear-capable version of Kalibr. However, to my knowledge, there is no attempt by the Russians to maintain the clear distinction between the part of the force array devoted to the tasks of nuclear deterrence and the part of their force array devoted to the tasks of conventional war-fighting. That is tremendously destabilising.

On the second part of the question regarding the global approach, China is the elephant in the INF room, if I can put it that way. The Americans—notably the Indo-Pacific Command—have made it quite clear that the United States has an interest in freeing its hands vis-à-vis China's own A2AD bubble, notably the Taiwan Strait. Of course, America has the ability, with its submarine-launched, ship-launched and air-launched cruise missiles, to cope with that situation, but it limits America's margins of manoeuvre, and some Americans, notably at the Indo-Pacific Command, consider that having ground-based cruise missiles that would be INF-tasked would make sense vis-à-vis China.

China is the free rider in this treaty. It is not part of the treaty. It has been able to deploy massively, in the hundreds and thousands, ballistic missiles and cruise missiles where the distinction between nuclear and non-nuclear is absent. We—certainly not the people at the IISS who are doing the military balance—do not know the exact share of nuclear-tasked and conventionally tasked Chinese ballistic and cruise missiles. The Chinese have been able to do this without violating any treaty, but of course this puts the Americans and the Russians in a rather awkward

situation. It reduces the interest of both the Americans and the Russians in maintaining the INF Treaty.

If you want to manage some form of return to INF, you have to include the Chinese. If you do not, there is no hope of an INF regime continuing to prevail, because neither the Americans nor the Russians have an interest in doing so. Therefore, that pleads in favour of internationalisation. If you bring in China, then people ask, 'What about India?', 'What about Pakistan?', 'What about Israel?', and so on. However, the Russians had a point in 2007 when Putin gave his speech on this topic at the Wehrkunde in Munich. The Russians never made a serious attempt to engage with the Chinese. Putin gave his speech pretty much for the gallery, but it does not hurt to raise the issue, and the Europeans are perfectly entitled to put forward that suggestion.

- Q89 **Lord Grocott:** Thank you for your interesting paper about threats to the NPT. To step back for a moment, I am particularly interested in the interests of all the parties in maintaining the NPT. That is really at the heart of this. Is it not worth acknowledging the paradox at the heart of the whole NPT, which would certainly strike someone from Mars? For the five nuclear states it is deemed to be important to their security to have nuclear weapons, and for all the rest it is deemed to be important to their security not to have nuclear weapons. That needs to be acknowledged, I think, as being something of a difficulty.

I have two specific questions that derive from that. First, what is the advantage to the non-nuclear states—to make it more specific, let us say in the Middle East—of remaining as signatories to the NPT? The one nuclear state in the region is not a signatory to the treaty, while you have another one that is in a difficult position with the possibility of developing nuclear weapons, with all the arguments surrounding Iran and what is going on there. What is the benefit to the other countries in the Middle East of remaining signatories to the NPT?

My other question is this. For a nuclear state, or for the four nuclear states that are not signatories to the NPT, and for any other state that might potentially want to develop nuclear weapons, what are the disadvantages for them in not being signatories to the NPT? There does not seem to be a problem if you want to develop nuclear weapons; you just do not sign up to the NPT. Are there any disadvantages to India, Pakistan, North Korea—I know that North Korea is a bit of a special case—or Israel? And what on earth are the advantages to the non-nuclear states, particularly in the Middle East?

Alexander Kmentt: First of all, that paradox lies at the heart of the NPT and it has always been there. One could argue that in a way it has been papered over in the course of the history of the NPT. In past Review Conferences we have seen cases where it was not possible to find an agreement and, when it was, such in 1995, 2000 and 2010, these differences have not been resolved but with creative diplomatic language it has been possible to find formulations to go around them. I suppose we will come to this in the course of the discussion but one of the reasons

behind the process that led to the Ban Treaty³ was that in the eyes of a fair number of non-nuclear weapons states the situation was reached where it did not seem possible any more to paper over these differences and the time had come to put forward that they were clearly there and had to be addressed.

To your specific question, the situation in the Middle East is that Israel has not acknowledged its nuclear arsenal. The advantage to the other states in the Middle East of maintaining the NPT has been there until now, but that also is becoming fractious. The obvious advantage is that if the NPT fell apart one would most likely see a nuclear arms race in the region, and that is holding back the disintegration of the regime in the Middle East. The consensus still holds, and that is behind the support of the Middle Eastern countries for the tough line against the Iranian nuclear programme, but it is getting more difficult. This is one of the fundamental problems of the NPT that have to be addressed. I think it was mentioned in previous sessions that one of the key reasons why it was possible to indefinitely extend the NPT in 1995 was the promise that the problem in the Middle East would also be addressed, but of course it was not possible to do that until now. So this and the disarmament that I mentioned are some of the key aspects that are leading to a crisis of confidence and trust in the NPT.

On your second question, until now one of the basic bargains of the NPT—

Lord Grocott: Sorry to interrupt but, before you move on to the second question, if you were advising the Egyptian or any other Government in the Middle East about the benefits to them of continued membership as far as their security was concerned, what would you tell them was the reason why it was worth paying the subscription, committing the personnel or whatever was involved in being a member?

Alexander Kmentt: Because the lack of an NPT in this regional context would lead to a grave increase in insecurity, with the potential for a nuclear arms race that would have vastly destabilising impact on the whole region. There are already several countries—Turkey is one of them, Saudi Arabia another—where nuclear weapons are being more or less openly discussed, and of course if that trend were to materialise then the impact on security, both regional and international, would be very negative. It is ultimately in the security interests of everyone, specifically the countries in the region, to keep the treaty in place. From the specific perspective of Egypt, the argument that it is putting forward is that the situation is untenable as long as the Middle East zone free of weapons of mass destruction is not addressed. We saw in the previous NPT review cycle a concerted bona fide effort to tackle that issue, but it simply was not possible to reach a way forward. I hope that that answers your question a bit more.

³ The Treaty on the Prohibition of Nuclear Weapons (TPNW)

On your second question, the basic bargain of the NPT for non-nuclear weapons states—to be given access and assistance in developing peaceful uses of nuclear energy—is a basic interest, and it is at the core of the NPT. As we saw in the whole discussion of the Nuclear Suppliers Group regarding the possible admission of India, there was a serious challenge to this aspect of the NPT bargain. The argument was made by many countries that if a country such as India—the Nuclear Suppliers Group was of course founded initially as a reaction to the Indian nuclear test in 1974—that has stayed outside the NPT could nevertheless gain access to the benefits with respect to nuclear co-operation, one would lose one of the key points of keeping countries in the NPT. That point was made by many.

The Chairman: May I beg my colleagues to keep their questions short? We are desperately short of time.

Alexander Kmentt: I am sorry for my long answer.

- Q90 **Lord Reid of Cardowan:** I would like to probe a little further on the question of INF and symmetry. Professor Heisbourg, I take it from what you said that you are not just describing the objective reality of the present but advocating that the response to Russian INF development should not be, as it was in the 1970s, a symmetrical response. Of course there has to be a response and your advocacy is the forward deployment of further NATO troops on the Russian border—you said, to remind them of the consequences of their actions. It might of course remind them of other things, such as three invasions from the West precisely by the build-up of troops along those borders, so would that in itself not at least carry the risk of further instability, more so than a symmetrical response?

François Heisbourg: Like for like does not make the sort of sense that it made in the 1970s, where we had an escalatory ladder and whenever a rung of the ladder was seen as weakened in comparison to the comparable ladder on the other side, it made sense to respond like for like. Basically, that is not the situation that exists today. We can elect to respond in a manner that is not like for like—

Lord Reid of Cardowan: Sorry to interrupt; I know we want to keep it short. You are saying that that is not the position today, but I assume that that is partly because people are arguing, as you are, that it should not be. There is no reason why a symmetrical response is impossible, is there? You are choosing to reject that and follow a different strategic course, which is the forward deployment of further troops. What I am asking is: does that decision not at least carry the risk of further instability?

François Heisbourg: If I may put it this way, that is my second point. I am simply saying that doing like for like does not in itself make more sense than other options.

Lord Reid of Cardowan: Does it carry less risk?

François Heisbourg: I will get to your second question. The notion that the other guy has a crossbow so you have to get a crossbow too does not carry an enormous amount of weight in these strategic circumstances, whereas in the 1970s it did. It was fairly obvious in the 1970s that if there was going to be a response, either you could choose to ignore the problem—some people did so—or you took the view that you had to respond like for like. Today the strategic situation does not compel you to respond like for like.

The second point is: how do you respond? I argue that there are two ways of responding that make strategic sense for us, and which may also catch the Russians' attention: to consider continuing the extended forward presence of NATO in eastern Europe and/or to improve NATO's capability—I say NATO explicitly in this case, not the EU—to cope with the A2AD bubbles that Russia has been setting up, which pose the problem of how one protects the forces that one has deployed to protect central and eastern Europe. Coping with Russia's A2AD systems is prudent, not provocative. Indeed, I would argue that that is easier to do in political terms than it would be to increase NATO's capabilities in the eastern part of Europe. I put these forward as two potential areas where we could respond. If I had to express a preference, it would be to improve our ability to cope with Russia's A2AD bubbles. That is something that is not particularly provocative and would not put our own forces at risk, whereas deploying more forces eastward would entail the risk that those forces would eventually come to harm. There was the notion in the 1970s that, because the Soviets deployed SS20s, we had to deploy something like it, in our case the Pershing IIs—but what for this time around? What is the question and what is the answer? The question is not the same as in the 1970s and therefore the answer is not going to be same as in the 1970s and 1980s.

The Chairman: Thank you. We are going to have to leave it there, because we must press on.

- Q91 **Baroness Smith of Newnham:** We as Members have been asked to keep our questions short but I have been tasked with one of the longest questions that I have seen since I have been on this Committee. It is a multifaceted question to Professor Heisbourg. In a sense, the starting point is that you have been saying just how different the context is between the 1970s and now, as we do not have the mutually assured destruction that underpinned the approach to deterrence in the 1970s. I wonder if we could come a little closer to home, to the two countries that are declared nuclear powers but were always caught between the Soviet Union and the US. Could you explain to us a little about why in some ways the French position appears to be so different from the British position in terms of having dual capabilities? Obviously we have just moved to a submarine-based nuclear deterrent. Beyond the differences in platform, what is the French perspective on disarmament? Are there ways in which the UK and France could be working together in areas of disarmament and deterrence?

François Heisbourg: There is always a danger when one discusses strategic issues of overrationalising. Why do the French have an airborne component while the British no longer have one? It is not because we had a different doctrinal approach at the time when those decisions were made; it is simply because Britain in the 1970s and 1980s fielded gravity bombs on aircraft that were enormously vulnerable to Soviet and subsequently Russian air defences. Since you had no project or budget to do something different with your aircraft and their nuclear capability, you did something quite sensible, which was to think, 'The Cold War is over and the Soviet Union is out. If we need to send a nuclear signal of last resort before strategic engagement, we can always use one of the missiles on our submarines', and you decided to do that. The French were in a completely different situation. From the early 1980s onwards, when we were in the depths of the Cold War, we decided to develop and deploy air-launched supersonic cruise missiles with a nuclear capability on our combat aircraft. The vulnerability problem was therefore definitely not the same. So when the question arose of what to do next, the answer was, 'We've got them and we're going to keep them'. One can overstate the strategic case. I would argue that the institutional and bureaucratic elements were probably more important than any other.

That being said, the French make the case for their airborne nuclear component under a couple of aspects. One is that although the aircraft are dual-capable and therefore ambiguous, the weapons system—the air-launched supersonic cruise missiles—have one mission and one mission only, and it is a nuclear one. So there is no doubt in the eye of the beholder, friendly or otherwise, about their nature. The distinction between nuclear and non-nuclear is very clear; there is no ambiguity—constructive or, I would argue in this case, destructive—on the matter.

Secondly—I advance this with some diffidence, but I take advantage of the fact that I have not been an official for quite some time—in the back of the heads of the French there is always the notion, 'Well, if the worst comes to the worst, if the Americans leave, would it be useful to have an airborne nuclear component that would serve a broader purpose than a national purpose?' This is what Alain Juppé, when he was Prime Minister, suggested in the mid-1990s, prematurely. He did not get a very good reception when he talked about a European form of deterrence to which France would contribute with its air-launched nuclear missiles. However, there is an idea at the back of the French collective mind that it would be a shame to get rid of this option as we are now entering the next modernisation cycle of our nuclear forces. We will have to replace the current ASMP-A supersonic nuclear cruise missiles, and the choice on the basic technological principles of propulsion of the weapon will probably be made next year. However, there is little doubt that the decision will be to continue to have an air-launched supersonic nuclear missile component to the French nuclear forces—in particular, to preserve this possibility over time, because we simply do not know what will happen to the American deterrent.

The French view is that American/European strategic—including nuclear—coupling has played a tremendously positive role in the security of Europe. It is also that if France and Britain had to try to substitute for the Americans in that role, that would be a tricky task in terms of ensuring the credibility of such a substitution in the eyes of the Russian beholder and eventually the Chinese beholder. However, we cannot exclude the notion that the Americans might pack up and go home. Certainly, over the last 30 years President Trump has made a number of statements that tend to indicate that he could very well be led into doing this. So, yes, the French have a form of assurance policy at the back of their mind.

The Chairman: I am afraid that I will have to cut you short there, Professor Heisbourg, as there are a lot of questions on France that we would like to follow up on, but we have nearly run out of time and Lord Hannay has some important questions for Ambassador Kmentt.

- Q92 **Lord Hannay of Chiswick:** I would like to ask both of you—obviously starting from quite different points—about the Ban Treaty, if I can call it that for the sake of shortness. What does the Ban Treaty offer that the Non-Proliferation Treaty does not, particularly given that no nuclear weapons state has shown the slightest interest in or intention of signing the Ban Treaty, not just now but in the foreseeable future? How would you characterise the relationship between the Ban Treaty and the Nuclear Non-Proliferation Treaty? Ambassador Kmentt rather eloquently explained in the context of Egypt how important the maintenance of the Non-Proliferation Treaty was. Is there not a risk that the Ban Treaty basically undermines the future stability of the Non-Proliferation Treaty and accentuates the division between nuclear haves and have-nots in a way that is not very desirable? In a sense, could you not say that the Ban Treaty is a bit of a cul-de-sac? It does not lead anywhere. The non-nuclear weapons states, are already all bound by the Non-Proliferation Treaty and by the much more rigorous oversight provisions of the IAEA, so it does not add anything and it does not show any signs of getting any nuclear-weapons state interested in it. Could you both comment on that? Perhaps, Ambassador Kmentt, you could start and François could follow.

Alexander Kmentt: Thank you for that question. I am a bit concerned about the shortness of time, as this is the topic that I was hoping to talk about most—also, I played a personal role in the humanitarian initiative that facilitated this process.

The Ban Treaty offers a non-discriminatory prohibition—a comprehensive prohibition. That is something that the NPT does not offer, because not all member states of the NPT are covered by it. In that sense, the aspiration is a comprehensive prohibition that should become universal at some stage. It offers a pathway for the implementation of Article 6. The prohibition itself is more comprehensive than the prohibition under the NPT because it adds several aspects that are not explicitly mentioned by the NPT.

Of course, the treaty has a long history, and I have referred to that briefly. Some of the differences in the NPT that were papered over came

to the fore in the process that led to the Ban Treaty, but most of all it is a manifestation of the role and responsibility of the non-nuclear weapons states to discharge their obligation under Article 6 of the NPT. The NPT obligation under Article 6 is a collective responsibility for the entire membership and not just for the nuclear weapons states. Therefore, there is an element of frustration, although I do not like that term, that non-nuclear weapons states such as Austria—there are many others—have been pushing for, supporting and trying to facilitate progress on not just non-proliferation but nuclear disarmament, and that has not been possible, certainly not to the extent that non-nuclear weapons states wish.

By moving forward with the humanitarian initiative and the Ban Treaty, we feel that we have taken a step towards implementing our own obligation of moving towards nuclear disarmament by stating unequivocally that, from our perspective and from the perspective of the humanitarian consequences and the risk, nuclear weapons are simply too dangerous and should be prohibited, just like other weapons of mass destruction. That is the aspirational aspect.

I am fully aware of the limitations of the Ban Treaty as long as states that possess nuclear weapons are not party to it. The arms control regime has been set up in a way that suggests there is no other alternative. We are running out of time, but essentially we have had the NPT Review Conferences, and we have on occasion agreed on concrete steps which simply have not been implemented. For example, we tasked the Conference on Disarmament, in the Review Conference outcome document, to do something that it has been unable to do since 1996. Therefore, from the perspective of non-nuclear weapons states, we are walking around in circles in the implementation of Article 6.

The Ban Treaty has a disruptive component in that it tries at least to change the discourse and the unsatisfactory dynamic that we have seen in the NPT discussions on Article 6 since the mid-1990s. Since the CTBT,⁴ which was concluded at the Conference on Disarmament but has not even entered into force, we have not had a chance to start negotiations on a fissile material treaty. There has been very little progress on some of the concrete risk reduction measures, and certainly no fundamental doctrinal changes have taken place to indicate a significant move away in nuclear weapons states from a reliance on nuclear weapons. From the perspective of my own country and many other countries that have supported this initiative, that seems to be the only way to demonstrate that we are deeply unsatisfied with the status quo and deeply concerned about how the arms control regime and the nuclear disarmament dimension in particular are moving.

I will just say a couple of sentences about the relationship with the NPT. This may sound a little provocative, but the assertion that the Treaty on the Prohibition of Nuclear Weapons in any way damages or undermines

⁴ The Comprehensive Test Ban Treaty

the NPT is just plain false. From my personal perspective, it is born out of trying to create a narrative that the Ban Treaty is somehow bad, whereas in reality—certainly in the motivation of those countries that have been driving it—it is supposed to complement the NPT, operationalise Article 6 and create a new dynamic for the implementation of Article 6. So we see it as not only complementary to the NPT but fundamentally supporting a key aspect of it. I would say that, first, the narrative that the Ban Treaty is undermining the NPT is fundamentally unjustified. Secondly, it is a diversion from the issues that are really challenging the NPT, some of which I have mentioned: the situation in the Middle East, the lack of implementation of Article 6 and the non-proliferation challenges that we face. These are the real reasons. The Treaty on the Prohibition of Nuclear Weapons is certainly intended by the countries that have promoted it to fundamentally support and give new momentum to the implementation of the NPT.

Lord Hannay of Chiswick: So it is more a *cri de coeur* than a method of operating?

Alexander Kmentt: No, it is not a lofty, utopian, loving kind of treaty; it is a serious prohibition of a weapons system that has been debated for a long time and which comes out of the humanitarian initiative. I regret that we will not have time to go into detail about that, but the fundamental underlying premise of the Ban Treaty is that if you look at the humanitarian impact of nuclear weapons, short term, medium term and long term, and try to understand the interrelationship of those consequences and add the element of risk, the fundamental calculation of the security value of nuclear weapons and ultimately of the stability provided by nuclear deterrence looks very shaky and needs to be reassessed fundamentally. That is the argument put forward by the Ban Treaty. It would be important to engage in that kind of discussion with non-nuclear weapons states as well, which of course are the vast majority of member states of the NPT and whose support for it is extremely important to keep the regime going. I am sorry for my lengthy answer.

The Chairman: You have made your position clear. I am sorry that we have such a tight timetable this morning. We have three minutes left and one final question, which could take hours but maybe we can solve it in seconds.

Q93 **Baroness Anelay of St Johns:** I know the question that was shown to you is a broad one, but perhaps in asking it I can narrow it down to a particular. We asked to what extent it was fair to say that the UK was the most restrained of the nuclear powers and how the UK could engage more effectively on these issues. I suspect that Ambassador Kmentt might have particular points on that, related to the last issue about the Ban Treaty. I have a specific question that arose out of evidence that was given by Professor Johnson of the Acronym Institute for Disarmament Diplomacy. Her view was that in going to the next RevCon the UK takes two gifts, the first being that 'the UK, the US, Russia and France ... should

undertake de-alerting. The UK could take the lead on that. It is a relatively small step, but it would be significant'. Do you see that as an achievable small gift? What are your views on that approach?

The Chairman: Please could you be quite brief? I am terribly sorry.

Alexander Kmentt: Out of fairness to my colleague, I will try to be very brief. Of course as an Austrian diplomat I do not want to give advice to the UK Government, but I have a personal view that I am ready to share on the point about restraint. First, from the perspective of non-nuclear weapons states, I would say that all nuclear weapons states undertake significant budgetary resources to modernise their nuclear arsenals. There are differences but, from our perspective, all the nuclear weapons states are taking these steps. Also, from our perspective no nuclear weapons states have taken significant steps to move away from their reliance on nuclear weapons, as I said. So from a non-nuclear weapons state perspective, the point about restraint is difficult to answer. I will say clearly that the UK has played a leadership role when it comes to nuclear disarmament verification, which is widely acknowledged and an important effort that should go forward. De-alerting would be an extremely important step to demonstrate more distance from the actual use of nuclear weapons. It would be seen as a very important risk-reduction measure by the non-nuclear weapons states.

The Chairman: Lastly, Professor Heisbourg, give us some advice from across the Channel on how the UK can play a role in this.

François Heisbourg: First, I have a problem with the notion of 'restraint'. The nuclear power that places the least emphasis on the nuclear part of its arsenal is China, not the UK. For the Chinese, nuclear weapons have always been de-emphasised, from Mao Tse-Tung onwards. With the 'Paper Tiger' simile under Mao and 'no first use', the Chinese are very good at downplaying the role of nukes in their arsenal. According to western estimates, they have fewer nuclear weapons than France and about the same number as the UK. So I will be careful about the concept of restraint.

Secondly, the UK, like France, has strenuously avoided getting involved in nuclear arms reduction negotiations, for good reasons. Our arsenals are nowhere similar to those of the United States and the Soviet Union/Russia. So before we put all sorts of flowers on our virtue, we should be a bit careful because we do not actually practise that particular form of virtue, if virtue it is. However, the UK has been more open—not restrained—than most in discussing some of the issues that we are talking about, notably, as the ambassador said, about verification.

If I may, I will say a quick word about the Ban Treaty. In France we have an expression that I think is well known here, 'Le mieux est l'ennemi du bien'—if that requires translation, 'The better is sometimes the enemy of the good'. Multilateralism is not strengthened by demonstrations of powerlessness. A temperance union that does not manage to convince any alcoholics to give up the booze is probably not very impressive or a

very good example. For me, that is the big problem of the Ban Treaty. It is not that it contaminates the NPT—I tend to agree on that; I think that the NPT has a fair amount of robustness—but that it poses problems to multilateralism as more broadly defined.

Lastly, there is a miracle of nuclear non-proliferation. Look at the list of countries that had the ability and sometimes the will to go nuclear some decades ago: Brazil, Argentina, Australia, Canada, Syria, South Korea, Libya, Iraq, Iran, Sweden and Switzerland. Wait a second—none of these countries, with the possible exception of Iran, is any longer on that list. The NPT had a lot to do with that, and I am not sure that the ban treaty will come up with a list on which you will find India, Pakistan, Israel and North Korea, not to mention the five recognised nuclear powers.

The Chairman: There we are. We end on a controversial note as well as a very constructive one for all of us. We are grateful to you. I am sorry for the time constraints. If there are any particular points that you would like to write to us and expand on a little then please do so, although you are busy people, because you have raised fascinating issues and we have not had time to pursue them all. We are extremely grateful to both of you for spending time with us this morning.