



HOUSE OF LORDS

Select Committee on International Relations and Defence

Corrected oral evidence: The Open Skies Treaty and New START

Friday 2 October 2020

3 pm

Watch the meeting

Members present: Baroness Anelay of St Johns (The Chair); Lord Alton of Liverpool; Baroness Blackstone; Lord Grocott; Lord Hannay of Chiswick; Baroness Helic; Lord Purvis of Tweed; Baroness Rawlings; Lord Reid of Cardowan; Baroness Smith of Newnham.

Evidence Session No. 1

Virtual Proceeding

Questions 1 - 7

Witnesses

[I](#): Alexandra Bell, Senior Policy Director, Center for Arms Control and Non-Proliferation; Dr Patricia Lewis, Research Director, Conflict, Science & Transformation, and Director, International Security Programme, Chatham House; Ambassador Bonnie Jenkins, Founder and President of the Women of Color Advancing Peace, Security and Conflict Transformation.

Examination of witnesses

Alexandra Bell, Dr Patricia Lewis and Ambassador Bonnie Jenkins.

Q1 The Chair: Good afternoon, or at least good afternoon here in the UK; it may be morning for some of our witnesses. Welcome to this meeting of the International Relations and Defence Select Committee.

I welcome our witnesses, Alexandra Bell, Senior Policy Director, Center for Arms Control and Non-Proliferation; Dr Patricia Lewis, Research Director, Conflict, Science and Transformation, and Director of the International Security Programme, Chatham House; and Ambassador Bonnie Jenkins, Founder and President of the Women of Color Advancing Peace, Security and Conflict Transformation. It is a welcome back, of course, for Alexandra Bell, who assisted us in giving evidence to our report in the last session on rising nuclear risk, but it is a first welcome to our other witnesses and a very warm one. Thank you for sharing your expertise as we take public evidence for our inquiry on the Open Skies Treaty and New START.

At this stage, I remind both Members and witnesses that the session is broadcast, transcribed and on the record. I remind Members to declare any interests before asking their questions. In that vein, I declare an interest: I am a member of the European Leadership Network. If there is any time remaining at the end of our session, I shall of course invite my colleagues to ask any supplementary questions.

I will ask the first question, which is always very general to set the scene, before I turn to my colleagues, who will ask more focused questions. How important is the Open Skies Treaty to strategic stability and what are its most important provisions?

Alexandra Bell: Thank you, Chair, and allow me to thank the Committee for asking me to join you today. It is an honour to be a part of this panel and to have a chance to speak with you all about these critically important treaties.

On the importance of Open Skies, the treaty provides transparency, predictability and stability, which has prevented a return to Cold War levels of fear-driven militarisation and the risk of accidentally sparked war. Rather than being overtaken by new advanced technologies, Open Skies has become more important in an era of deepfakes and precision-guided disinformation. The images captured during the overflights are beyond reproach.

The treaty is simple in concept but excruciatingly detailed in its operation. Each state party must allow a certain number of flights over its territory and then may conduct an equal number of flights over the territories of other states parties. Observing countries give very short notice of their specific flight plan. Each party's cameras are limited to a certain resolution, just good enough, as is often said, to be able to distinguish a tank from a truck. The treaty explicitly permits a range of imagery technologies. It was designed to adapt to new technologies, such as the

switch that most countries have now made from wet film to digital imagery. All those images are collected and made available to any state party.

The implementation process itself carries its own confidence building benefit by creating more opportunities for interaction among parties. At its core, the treaty serves to lower the temptation and the fear of surprise attack by guaranteeing that there will be unassailable photographic evidence of any major military preparations and movements across the Euro Atlantic region.

Dr Patricia Lewis: Thank you all for this opportunity. It is a really important question. I agree with everything that Alexandra Bell has just said.

One of the most important things is that it is an opportunity for states to work collectively and collaboratively, and to build confidence openly in a different way. We can collect information from satellites and we can collect information from the ground, from signals intelligence, et cetera, but this is another way to collect information. It is an additional mechanism and methodology, with additional sets of information that can corroborate or contradict the information that we get from other vectors. That seems to be one of the most important things.

The information can be used in a way that often information from satellites and signals intelligence cannot be used. That is really important. Because it is open, because it is shared, it is a way in which our concerns can be demonstrated—and indeed it has been used to that effect. The flights themselves and the consultative commission build trust and confidence. Things are aired and discussed such that everyone has access to the same information, and everyone has an equal voice in the commission, and in the flights themselves.

The fact that there are 34/35 state signatories that can share the information, and agree on the information, is not to be dismissed. As a rider, it is really important to note that approximately a third of the flights that have been conducted flew over Russia and Belarus. It is important for us to be aware of the significance of that.

Ambassador Bonnie Jenkins: Thank you very much for inviting me to be here; it is really my honour.

I was one of the two lawyers who negotiated the treaty for the United States back in the early 1990s. One of the things I want to highlight is that, even when we were negotiating it, there was always an understanding that the US and Russia had ways in which they could already see what was going on in each other's territory.

A fundamental aspect of the treaty was, and remains, the work that we do with our allies, and the fact that our allies saw real value in it. It was an opportunity to strengthen our alliance with our allies, and to provide another platform where we could engage with Russia. Back in those days,

there was a lot of turbulence in the geopolitical landscape; the Soviet Union was falling apart and Germany had recently reunited. The thing to keep in mind is that we still have challenges today. There is still a platform for a mechanism like the Open Skies Treaty to provide basic understanding and a way in which countries can work together to try to see what is going on in other territories.

Ukraine was able to take advantage of that in 2014 at the time when Russia had invaded, so it is a mechanism that not only allows for set times and ways to inspect but can be used for other situations. There have been over 1,500 flights, if I recall the work that has been done on the flights that have been allowed. It provides a mechanism for confidence and transparency, and we can certainly use a lot of confidence and transparency today.

The Chair: Thank you, and thank you to our witnesses for setting the scene so very clearly.

Q2 **Baroness Smith of Newnham:** Thank you to all the witnesses for your opening statements, which very much lead to my question about compliance with the treaty. Dr Lewis particularly mentioned that over a third of the flights were over Russia and Belarus, and Ambassador Jenkins talked about Ukraine taking advantage of the system in 2014.

Ambassador Jenkins, do you feel that America is right to suggest that Russia is not complying with the treaty because of the requirements it is making over Kaliningrad, for example, or is America simply looking for excuses? I realise that I have embellished the question from what you might have been expecting.

Ambassador Bonnie Jenkins: Thank you so much for the question. There is valid concern about the fact that Russia has not been allowing some flights over Kaliningrad, for example, and in the Georgia border area. It has also been noted by NATO leadership that there has been valid concern.

The issue is that there is a reason for the United States to push back on Russia. However, the question is whether withdrawing from the treaty is the right step to deal with that. Most of the thinking, or at least the thinking of those who are in favour of the treaty or understand the value of the treaty, is that, despite the fact that there are problems, there are mechanisms in the treaty, including the consultative process to deal with such issues, so there was no real consensus among the other parties that it was a time to withdraw. That is why when the US withdrew there was some pushback by our European allies on withdrawing from the treaty and not allowing the opportunity for more discussion.

Dr Patricia Lewis: I agree completely with Ambassador Jenkins. From everything I can read about it in the public domain, I would also say that Russia is in violation of the letter and the spirit of the treaty. The question is whether that is the hill to die on over compliance, and it is a really important one. It is not a militarily significant breach of a treaty. In fact, it would be very hard to provide that reason in the Open Skies

Treaty, because it is primarily a confidence-building measure. When confidence and trust are broken, there are several ways you can deal with it.

One way, of course, is to walk away. My concern is that that seems to be a strategy from Russia over certain treaties at the moment; at least, that is how I interpret it. Russia behaves in a way that is at the margins of what is perhaps acceptable to some states and unacceptable to others—back in their grey zone, if you like. It is testing resolve, testing the lines and the determination to a point where the US seems to talk itself into leaving and paint itself into a corner where it has few options other than to make good its promise to leave.

My fear is that that allows Russia off the hook as regards compliance. It throws US allies into disarray, because that is not the way they would have gone about it, most likely; and it allows Russia the opportunity to stay in the treaty and look good, but with absolutely no call on it with regard to compliance, or very little, once the US leaves. We see that as a bit of a pattern. We have seen it with the INF treaty, for example.

We are now in a situation where we are painting too many red lines that we then end up having to cross; or, the US is painting those red lines, I should say, and its Western allies are often dragged along with it. The US then has to cross them in order to save face, but actually it is playing right into Russia's hands.

There is a really important thing that we have to work out in the bigger picture with treaties. Treaties themselves, particularly the Open Skies Treaty, are a mechanism for discussion, collaboration and gathering information. All treaties go through a difficult time, and they need to be robust enough to withstand the difficult times; they cannot work only when the sun is shining. We need to put a bit of effort into thinking about how to manage the difficult times in those situations. We did it through the Cold War; sometimes it failed and sometimes it worked, but we put the treaties and international law at the centre of that sort of decision-making. We need to reposition ourselves a bit in that regard.

Alexandra Bell: I agree with both Ambassador Jenkins and Dr Lewis. Arms control is hard. Problems come up and they need to be dealt with. To be clear, Russia is in violation of the treaty, but not in a way that has defeated the object and purpose of the treaty. They are problems that can be fixed.

It is important to understand that the dynamic of the problem that we are having with Georgia is really about the way the treaty is written and not necessarily an indication that the treaty itself is not working in the proper way. The treaty specifically says that flights cannot happen within 10 kilometres of the "border with an adjacent state that is not a state party", so Russia is in defiance of most of the world by recognising South Ossetia and Abkhazia, breakaway republics from Georgia, as independent states. To be consistent with its recognition of those two areas, Russia has to deny overflights along the disputed borders.

This has created implementation problems for Ukraine. It is something that Turkey did, denying some overflights on the border with Syria. It is a common problem that we have had with the treaty, but, really, Open Skies is collateral damage in Russia's deteriorating relations with its neighbours.

The most troubling issue we have is the imposition of a sublimit over Kaliningrad. To be clear, Russia is allowing flights to overfly Kaliningrad, just not for the flight distances technically permitted under the treaty, but last winter a joint flight between the United States, Lithuania and Estonia actually flew past that sublimit. We were making progress with the Russians. It did not come up a lot in discussion of the US announcement to withdraw from the treaty that we actually had been overflying Kaliningrad and we had flown past the sublimit.

Unfortunately, although we can see that there is possibility for movement and we can fix the problems, we have not actually seen the diplomatic work, particularly from the United States, to try to fix the problems. As Dr Lewis said, Russia has inherent problems with a lot of treaties in the way it interprets compliance. It has created across the board issues with arms control and non-proliferation agreements, but Open Skies is a fixable treaty and hopefully there is some way to get someone in the US Administration to see that there is still a chance to save it.

Q3 Lord Alton of Liverpool: Can I ask all three of our contributors to dive deeper into the analysis that you have kindly given us so far? Your Excellency, Dr Lewis and Alexandra have all told us about the diplomatic work that went into creating the treaty in the first place, and it was an extraordinary achievement in so many respects.

Can I ask you to cast your minds forward? If the treaty is to have any value in the future, what happens if the US leaves in November? What are the principal issues to resolve in that scenario, and what more could be done, reverting to a point you have just made, to keep Russia in the agreement?

Alexandra Bell: The treaty will remain valuable even if the United States leaves, but I stress that, as I just said, there is the opportunity to reach out to President Trump and ask him to postpone or reverse that decision. The critical date for action is 21 November, just under two months from now. There are some other things happening in the United States right now that are taking up some issues, but there are 30 some parties to the treaty that are also allies of the United States. How many of those countries specifically brought the issue into their conversations with the United States after the initial joint letter from the group of European Foreign Ministers and various other statements in disagreement with the US position?

To be sure, the Covid crisis has to be a priority, as do other issues, but if our allies want the United States to stay in Open Skies, and if they want Russia to fix the compliance problems, private and public counsel at the highest levels has to happen now. I think that outreach effort is

worthwhile, but, as I said, Open Skies still remains a valuable agreement. Transparency and independent insight into the military might of European neighbours are good for security on the continent.

Of course, the remaining parties will have to have the political will and the financial means to invest in the resources—aircraft and manpower—to compensate for the lack of US aircraft. The US did a lot of joint flights, so there will have to be discussion about how you compensate for that. Germany, I think, is already thinking about it; other parties should as well. Russia may need some convincing that it is still valuable to it without the United States in it. I think it is still valuable to Russia, but the Russians will need some guarantee from the remaining states parties that they will not share imagery with the United States if it is no longer a party.

Another issue is what we do about US bases on European soil and overflights of those installations. I do not think that is something the United States, if it withdraws, will be happy with. There is also the possibility that President Trump moves forward with the withdrawal and is not re-elected. A potential Biden Administration will have to consider whether they should try to re-enter the agreement, which will take time, effort and diplomacy—a diplomatic ballet.

The Chair: Thank you. Baroness Smith has just let me know that she should, when speaking, have declared her interest. It is one that is well known here in the UK, but still must be declared, and is simply that she is the Liberal Democrat defence spokesperson in the House of Lords. Finally, I go to Dr Lewis.

Dr Patricia Lewis: Thank you very much. It is well worth trying to keep the treaty going for lots of different reasons: keeping everyone engaged; keeping Russian compliance issues on the agenda, which is really important; supporting multilateralism more generally; and, most important, having something there for when and if the US reverses the decision or reconsiders.

We have seen the way Europe can take the lead in, for example, the JCPOA—the Iran deal—where Europe has taken a different tack and has kept something going with Iran. It is not ideal, but it is there for when and if the US can find a way back to it. Europe has shown strong leadership in the UN Security Council on the issue. To address Alexandra Bell's point, when the US tried to lever the JCPOA, it was essentially told that, given that it was outside the treaty, it was really not able to. That speaks to European resolve with regard to data sharing and things like that. European states are very much about supporting international law; that seems to be a big factor.

The other thing is that European member states conduct most overflights. The work by Alexander Graef and Moritz Kütt of Hamburg has been really important in that regard. They have done analysis in which they have shown the benefit to different states. Europe would still get a lot of benefit by overflying Russia and Belarus in the way that it is doing.

Vice versa, Russia and Belarus would lose the ability to fly over the United States but would retain the ability to fly over Europe, which currently accounts for more than 87% of active flights. So I think there is a real point there.

As to our concerns, the big issue that we have to resolve is keeping Russia's feet to the fire on this. In the terrible incident in Salisbury, with the use of a Novichok compound in an attempt to murder the Skripals, we saw how joined-up efforts and unity worked at the multilateral level when the UK took the issue to the OPCW in The Hague and had an enormous impact. That is something that we need to learn lessons from.

As well as the technical problems that were just outlined, which are real given the aircraft and technology the US lends to the Open Skies Treaty, there will be a financial issue because of the contribution that the US makes to the Open Skies Treaty, but it is not a lot of money; for example, estimates of the increase for the UK are less than €20,000. But there will be a political element, in that I imagine Russia would probably insist that there be no increase in its contribution as a result of the US unilateral action to leave. I think we will have some shenanigans, shall we say, at the OSCE on the issue.

Ambassador Bonnie Jenkins: The way I would approach it is to look at what we can do in the future and, if the US finally decides to withdraw from the treaty, to look not at what value it has without the US but at what we can be doing now.

Engaging Russia and continuing to work with it on these issues is very important, even without the US being present. We need to reimagine the treaty, but we need to keep it the way it is. I am not recommending any kind of changes; as an international lawyer, I stay away from amendments to treaties whenever possible. We need to think about how we can make use of the treaty, similar to what Ukraine did in 2014, and use it as a mechanism and a vehicle beyond just what it is normally there for, and make active use of it to address conflict.

One of the things we always thought about when we were negotiating the treaty was that the mechanism can be used to help prevent conflicts. It was not just about measuring tanks and ensuring that countries were abiding by treaties like the then existent Treaty on Conventional Armed Forces in Europe. It was about providing a mechanism and a vehicle to reduce conflict, or at least to be able to see what was going on on the ground.

I think there are ways in which we can make use of the treaty, still staying within the confines of the treaty. There are ways we can work within the treaty to upgrade some of the cameras that are there for use, if that is a possibility. We can also make better use of the consultative process and make better use of discussions that could be taking place about the future of the treaty. This has to be looked at as an opportunity to step back and look at arms control treaties right now, and what we need to be doing overall to strengthen the arms control regimes. Even

though this is more of a confidence-building, not traditional, arms control treaty, I think it clearly fits within that definition.

As we think about that, and we think about START and about where we are right now, we need to see how Open Skies fits into where we are in 2020 and what it can do to advance the goals that we have in 2020 for the future of arms control non-proliferation.

The Chair: Thank you, all three of our witnesses, for your analysis of Open Skies as a treaty now and perhaps as a way forward. Our next group of questions will focus on New START.

Q4 Lord Reid of Cardowan: I thank our witnesses for their contributions in the Open Skies session.

I declare two interests: like the Chair, I am a member of the European Leadership Network. Just as important, I was a member of this very Committee, as it then existed, in April 2019 when, on the question of New START, while we recognised that it was primarily for the United States and Russia, we urged the UK Government to make clear their view of the benefits of its being extended. My position and the position of the then Committee was quite clear, but I would be interested in your view.

What is your assessment of the likelihood that New START might be extended beyond 2021? How significant were the recent talks between the US and Russia on that issue? What are the key issues still to be resolved? You might want to comment on current events, which may or may not end up with an extension, with the new Trump or the new Biden Administration coming in. They have slightly different views on it, as I understand it.

Ambassador Bonnie Jenkins: You make the good point that a lot right now depends on whether it is a Biden or a Trump Administration as we look forward to the future. As you know, we have been working on the issue with Russia for many months. We know that the date is approaching, and unfortunately, as we all know, we have not come anywhere near a point where we can agree on an extension.

Vice-President Biden has made it clear that if he is our President he would extend START, which would be in time for the extension to take place in February next year. With President Trump, I think we will still have significant problems. As you probably know, the recent discussions did not result in anything particularly positive. The US approach has been to demand a number of conditions: to increase the verification system of START; to bring China into the negotiations, which has been a bit challenging because China has not shown any real interest in any part of the negotiations; and to have new limits on all types of nuclear warheads.

Those are all conditions that Russia has pretty much said it does not agree to live by, so we are in a very bad situation; it has not improved, despite all the time that we have had to try to resolve it. The insistence of the current Administration to bring in China does not seem to be

leading to success, as I said, because China is not in a position right now to do that.

The answer will somewhat depend on what happens next month in America in our elections. We could either see a change, with an Administration that will work with Russia to see what we can do to extend START in the timeframe we have, or we may still be trying to deal with a situation that Russia is not particularly happy with, and where the US has set down conditions.

Dr Patricia Lewis: We are all very much in agreement here. It is an easy win to extend New START. There was a hope in some parts of the US State Department that they could renegotiate, or negotiate a new treaty, or negotiate new adds-ons to the treaty, perhaps bringing China into the process. Clearly, they have run out of time to do that. To extend in the early part of next year would be feasible and possible, and Russia has indicated that it would. Of course, it might change its stance at any point and it may play a different game, but I think it is certainly an easy win at the moment; that is how it looks.

The recent talks that were held in Vienna were really helpful. To bring in issues of strategic stability and of space is very important in this regard—more important, I think, than bringing China into the discussion. I would like to make a side plug for the new initiative from the UK that is to be tabled in the UN, in the General Assembly, to talk about responsible behaviour in space. That might turn out to be quite an important part of the puzzle.

If we discuss doctrines, stability and the strategic arc of everything, Russia feels very comfortable in that domain. It always wants those discussions, and it is not a bad idea. Those things are very important for confidence building and building relationships; the more people can talk about them, the better.

We have a process that engages China—indeed, this was written about in the report from the Committee before, under Lord Reid—and brings it into the P5 process under the Non-Proliferation Treaty. In fact, China is in the P5 process; China has been quite active in it and very positive, and that is something on which to build. China probably feels comfortable in that space because the UK and France are there as well, so it is not being singled out by the US and Russia.

It would be easier for a Biden presidency, for all the reasons we have talked about, and the timing is such that we can probably afford to wait to see if we can get an extension until we know the outcome of the election. New START was negotiated under President Obama, and of course Vice-President Biden, which has been a problem for President Trump. To be fair, all Presidents want their own big foreign policy win, and they all want their own stamp on any treaty with Russia over arms control, so it is not unexpected that the Administration would want to see a special Trump flavour in what could happen, but I think they have run out of time.

Alexandra Bell: The best and safest plan is to extend the treaty. A clean extension would be a win for the United States, for President Trump, for Russia and for the world. President Trump and President Putin should do it today. With a simple exchange of diplomatic notes, we could move past it and focus on more negotiations, with the safety and security provided by an extended New START.

Unfortunately, as has been said, we seem to be at an impasse; the Trump Administration are making demands that Russia does not agree to. There are also now threats from the Trump Administration that the price of admission would go up after the election. I think that is very unhelpful. The Russians are rejecting that. Time is running out.

In the end, the decision should be clear. Entering the next 75 years of the nuclear age with no legally binding constraints on the world's two largest nuclear arsenals defies logic and reason. New START has worked. It will continue to work if it continues to be faithfully implemented by both sides. It provides a predictability and stability that allows for a clear-eyed force structure on both sides. Neither side can buy the kind of intelligence that the treaty provides. Even if the two countries tried to divert time, resources and energy into such an effort, the resulting information would not be as good. As I mentioned, we are still in the midst of the Covid crisis; it is far from over. It would be absolutely foolish to spend resources on things that are, effectively, free at this point. Both from a security perspective and an economic perspective, extension makes sense.

It would also give the parties more time to decide on what comes next on the larger problems that have been brought up: space, tactical nuclear weapons, emergent technologies and new types of delivery systems. We would also have more time to get China into the conversation, something that needs to happen. If you go back to the beginning of how the US and the Soviets started this, it was very basic things like hotlines and general, very base-level, agreements, such as agreeing to talk to each other if we think we might get into a nuclear conflict. That is where we need to start with China: start at the base, and build up the negotiating capacity of the United States and other countries to start engaging with China. We do not have enough people working on that inside the State Department to do it credibly.

There is the additional idea coming from the Russians and the Chinese that France and the UK need to be involved in next-level discussions. Are the UK and France ready to engage in those kinds of discussions? When it comes down to it, New START extension gives us more time, more safety and more security, and that is what we need right now.

Q5 Lord Hannay of Chiswick: First, a declaration of interest: I too am a member of the European Leadership Network and I too participated in the earlier report by our Committee, which covered New START.

I apologise if this question covers some of the ground that has been so admirably covered in the replies to the previous question, but it is worth

going over some of the points. The US Administration have stated a desire to bring issues such as new technologies and conventional weapons into negotiations over New START, as well as extending the agreement's scope to cover China. I do not think any of us would wish to dismiss those concerns as completely empty, and I have carefully read every word that Ambassador Billingslea has said in public on the subject.

How could those concerns be addressed outside the extension process for New START—for example, by intensifying the P5 dialogue where there is already agreement that strategic stability should be discussed? Indeed, it would have been discussed last April had the non-proliferation review conference been postponed.

Alexandra Bell: It is entirely valid to want to deal with emerging technologies in balance between conventional strategic forces, space technologies, artificial intelligence and synthetic biology. All those issues can affect strategic stability. We need to have those conversations, whether it is in a P5 forum, a group of government experts or conversations in the UN body. It will take time, work and patience. It will take years. We need to reinvest in the structures working on that. We need younger people. We need more diverse voices working on it.

It will not happen just because we want it to, and it will not happen on a timeline that works for anybody's electoral preferences. We need to focus on getting New START extended, and then work with all interested parties, non-nuclear weapon states, to get conversations going and invest time and resources. I talk about this all the time.

I am not a cyber expert. Everyone clearly agrees that we need to talk about how cyber technologies can affect strategic stability. We need people who are actually cyber experts in the room. We have not gone out and found them yet. At this point, we are still dealing with the classical nuclear policy expert who has a good idea of how nuclear weapons work but a somewhat limited idea of how information technology affects all these things. It is possible. We should be doing it. New START should be considered separately.

Dr Patricia Lewis: It is such an important question, Lord Hannay. We are very late to the party on this and we need to be seized of it. We need to be talking about it nationally as well as internationally. We have been running a project for the last few years with the Government of Norway—the Ministry of Defence of Norway—on the cyber vulnerabilities of strategic command and control systems through space. We have published what we were able to publish. It is on our website, and I can send you the publications, if you would like.

One of the things we are very concerned about is the issue of false information and the cyber manipulation of data so that the integrity of the information is undermined. When the information comes to command and control systems, including human beings, you do not know for sure whether it is the information that was supposed to get to you. That is a very big problem. It will undermine all our deterrence frameworks and all

our deterrence calculations. It will undermine the certainties and the faith that we place in our systems. We need to think about it in terms of the very big strategic systems, not only in our conventional forces but in the nuclear realm. There is no country with large conventional forces and/or nuclear forces that would not be vulnerable in that regard. It is a discussion that we need to have, but we need to have it nationally and with our allies, as well as internationally.

The problem with doing things through the New START treaty is that it would be overegging the pudding in an already fraught discussion, given what has happened with the INF Treaty and the JCPOA,¹ and the difficulties between the US and Russia more generally. As Alexandra was saying, we need to bring different types of expertise into the debate, so that we do not just have old diehard arms controllers at the table. We really do need people with a lot of different knowledge and experience. We need to broaden it out.

As I said earlier, I think the P5 process is a good way. There is nothing to stop us having the discussion with or without the NPT Review Conference, to be frank. It ought to be going on anyway. Where it could go on—indeed, I am sure it does in a more low-key way—is in Geneva at the Conference on Disarmament. The Conference on Disarmament has not been able to function since 1996 on negotiating; none the less it is a venue for daily P5 interactions—the bread and butter of diplomacy that you know so well.

We need to start working on the UK initiative on space and all those different things. We could pick up all those different strands to begin a conversation that is already overdue.

Ambassador Bonnie Jenkins: There is not much I can add. What I like about the question is that it highlights how many things we should be working on and what is not happening because we are stuck on a treaty. That could be because we are stuck on the treaty or because we do not want to have any of the discussions. There is no reason why, because there is no movement on one treaty, which is New START, we cannot work on other issues. It highlights, first, the fact that we need to be doing other things; and, secondly, the fact that there are other mechanisms and other places besides New START where we can have discussions. We should also be strengthening some of the other mechanisms and other platforms.

New START is New START. It is between the US and Russia. That highlights the problem of trying to bring in China. It is a treaty between two countries that have been working bilaterally for a long time. It does not mean that China cannot be a part of it, but we need to get the treaty first. We need to get New START first and then, if we want conversations about bringing in China for any kind of discussions, that is a total possibility. Right now, we have to extend the treaty.

¹ The Joint Comprehensive Plan of Action (the Iran nuclear deal)

As with the other issues, we need to think more broadly. We used to live in a time when we negotiated several things at once. There was a time when we had many things going on at once on a diplomatic front. We need to get back to realising the different types of threats that we are facing and try to deal with them, but not one by one or by pretending that they are not there. We should be doing something about them.

We can get leadership from different countries. You do not have to have Russia or the US taking the lead. It does not have to be any particular platform that takes a lead. It can be countries that share an interest, are concerned about the issue, and want to get together themselves and say, "Let's start a negotiation on something or at least start meeting or having a discussion in a different platform". Those are all possibilities. It takes leadership.

Q6 Lord Grocott: As has been mentioned in previous exchanges, our Committee has touched on a number of these issues in its work in the past—in particular in work on the nuclear non-proliferation treaty, or rather the anticipation of the review conference. What we are all agreed on is the huge importance of this treaty and, despite its difficulties over the years on a number of issues, its success over the years and the importance of that continuing. If New START is not extended, what would be the impact on the Nuclear Non-Proliferation Treaty Review Conference due next year?

Ambassador Bonnie Jenkins: If there is no extension of START, it will be another chink in the armour of the non-proliferation regime, broadly defined. It will certainly add to frustration. It will certainly add ammunition for countries that are already not happy with what the US and Russia are doing in different areas regarding non-proliferation. It will add another area of contention and discussion at the Non-Proliferation Treaty conference.

I do not necessarily think that the treaty itself will fall apart over it. I do not think we will not have a non-proliferation treaty. I think we will have an even more contentious discussion. It will already be somewhat contentious. It will just add another layer, and another valid layer from countries that are concerned about US and Russian efforts to get rid of nuclear weapons and to take valid steps.

Briefly, one of the things that in the US and Russia we have always done is point to the treaties as ways in which we show that we want to reduce. If we are not doing those things, and if we are taking steps backwards, that is certainly going to be an issue that will be discussed and highlighted by other countries.

Dr Patricia Lewis: It would be very negative on the NPT. It is not that it would collapse immediately, but—I do not want to say it would be a nail in the coffin; that is terrible—it would be another blow to the NPT. Things can get agreed in the nuclear non-proliferation treaty, but then they need the Conference on Disarmament to work in order to be able to make them real. They need the US-Russia process—the bilateral reductions—to

work. We are not seeing that. We are seeing the end of the INF Treaty, and the JCPOA was very much assisted by the NPT.

We have real concerns that have been rising over the Comprehensive Test Ban Treaty, which has not yet entered into force because the US and China have not ratified it, along with a few other states. We are seeing a crumbling of the architecture on which the NPT was extended in 1995. Eventually, something will give. It is not that the sky is falling, but there is a lack of commitment to non-proliferation. There is a lack of commitment to arms control and disarmament on the part of the larger powers that will eventually filter through to a lack of commitment to preventing proliferation in the NPT.

What we have, however, is the treaty to prohibit nuclear weapons. It is four countries short of entering into force, so it is nearly at its 50th ratifying signature. We need to be very much more aware. With the exception of this Committee, in the UK political arena, and certainly in the media and in discussions that I have been privy to, there is a lack of information about the thinking behind the TPNW, the way in which the treaty was negotiated and the purpose behind it. The UK needs to look at that again so that it understands it better and understands its role. It might be the only thing left outside the NPT if we carry on down the pathway that the US and Russia are going down.

Alexandra Bell: If the United States and Russia fail to extend New START, it will be seen as a direct affront to their obligations under Article VI of the NPT. The treaty is already under duress, as has been mentioned, from unfulfilled promises and expectations showing up without any constraints on the world's largest nuclear arsenals. It is just going to undermine the treaty further. Imperfect as it is, the NPT has stemmed the mass proliferation of nuclear weapons. It needs to be protected. It needs to be supported. It needs to be strengthened. That starts with doing basic common-sense things, such as extending New START.

Q7 **Baroness Blackstone:** My question is about what actions you think the UK Government should take to encourage the US to reconsider its decision to leave the Open Skies Treaty, and to urge both the US and Russia to extend New START. Perhaps in answering that question you could also say how effective the UK's advocacy has been so far and what more we ought to be doing.

Alexandra Bell: In my personal view, the UK Government should be clear in private and in public about what they think should happen with both treaties. In preparing for this session I was not able to find any recent statements from UK officials about the need to extend New START. Other Heads of State, from France to Finland, have been very vocal in their support for the treaty, so the UK's absence, at least from the public conversation, is a bit striking.

If we do not all do something, we might find ourselves in a world without any real constraints on nuclear proliferation, and that is not a world that

we want to be living in. I hope that all countries, including the UK, will take this opportunity to see what is on the line. It is one of the few issues and endeavours where it is reasonable to say that the fate of the world is on the line, and we need to step up.

In preparing for this I came across a quote from President George HW Bush when announcing that he was going to seek to complete President Eisenhower's vision of the Open Skies Treaty. He said that "the national security of America and our allies is not predicated on hope. It must be based on deeds". Open Skies and New START are the kind of deeds that we need to preserve, so I hope that is the case.

Dr Patricia Lewis: This has been such an interesting discussion. I do not think I have ever been in a room where all the experts agreed so much. I do not know what that tells you.

I will start with the last question. I think the UK's advocacy can be very effective. It is often low key and behind the scenes. As Alexandra was just saying, it often speaks in private in a way that other countries might not be able to. I am not assuming that nothing is being done just because there are no statements in public.

We have seen the masterclass that the UK gave us at the OPCW over chemical weapons. We missed an opportunity over the INF Treaty. It was a pity that we, collectively within NATO, decided to support the US on that. I think the US was mistaken in its approach. It was a pity that it was presented as a united front in that regard. I understand the reasons why, but I felt that we missed an opportunity on international law.

There are two things I would do. When it comes to Open Skies, I would wait until the election and then, singly and collectively, ask for a pause in the proceedings to withdraw. There is historical precedence for pausing withdrawal. Whoever wins, and whatever the outcome of the election, even if it is not certain who has won for quite a while, given that the date of 21 November is the cut-off and then 22 November going forward, it would benefit everybody if they were to announce a pause for that period. It is bad timing.

When it comes to New START, we have made the case that there is not a lot to lose in terms of extension. Whoever gets in would benefit greatly from extending that treaty with Russia. If I were able to be heard, I would stress the importance of risk reduction at the moment. We have a number of treaties, Open Skies being a clear one, and frameworks that are helping us to create a set of mechanisms for reducing risk. When things are very uncertain and when conflicts start to arise, you do not want to have lost those. We need to do anything we can to put those sorts of structures in place. I am fairly agnostic as to what they are or how we do them, but we need to make sure that they are there going forward.

The Chair: Ambassador Bonnie Jenkins will give us the finale.

Ambassador Bonnie Jenkins: There is not much to add. First of all, I am very appreciative of what the UK Government have done in standing fast on the JCPOA and trying to keep it moving. In dealing with these issues, standing fast remains important during negotiations, both visibly and not visibly, and that should continue regardless.

As regards a pause, it is an interesting time, as has been said several times, with the election coming up. If it turns out that there is another Trump Administration, it is very much the *status quo* and, hopefully, not more of an arms race. It will be continuing that fight. If it turns out to be a Biden Administration, there will be some opportunities. I would recommend thinking about the next steps, which I am sure is already happening. If there is a new Administration, what are the next steps to effect change? What are the priorities? What are the things that you want to start working on first with the new Administration to make a change and to see what the future will bring for arms control and a non-proliferation regime overall?

The Chair: Thank you, Ambassador Jenkins, Dr Lewis and Alexandra Bell for making this session so fascinating. This first public session is now going to close. My thanks to our witnesses.