



Select Committee on International Relations and Defence

Uncorrected oral evidence: the Open Skies Treaty and New START

Friday 2 October 2020

4 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. 2

Virtual Proceeding

Questions 8 - 14

Witnesses

I: Lord Browne of Ladyton, former Secretary of State for Defence, and Vice-Chair, Nuclear Threat Initiative; Rose Gottemoeller, former Deputy Secretary-General, North Atlantic Treaty Organisation.

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Examination of witnesses

Lord Browne of Ladyton and Rose Gottemoeller.

Q8 The Chair: Good afternoon and welcome to the second session this afternoon of the International Relations and Defence Select Committee in the House of Lords. We are gathering evidence in our inquiry on Open Skies and New START.

I welcome Lord Browne of Ladyton, former Secretary of State for Defence and Vice-Chair of the Nuclear Threat Initiative, and Rose Gottemoeller, former Deputy Secretary-General of NATO and Distinguished Lecturer at the Center for International Security and Co-operation, Stanford. I should have said welcome back to Lord Browne, since he assisted us in the last session in our inquiry on the rising nuclear risk, but a warm welcome to Rose Gottemoeller for her first time giving evidence to us. Thank you both for sharing your expertise today, as we move forward on our short inquiry; it may be short, but it is certainly going to be important.

I remind Members and witnesses that the session is on the record; it is broadcast and transcribed. I also remind Members to declare any interests that are relevant to the inquiry before asking their questions. In that vein, I declare my interest as a member of the European Leadership Network.

If there is any time remaining at the end of the session, I shall of course turn to my colleagues to indicate whether they wish to ask supplementaries.

I shall start with the first question, which will be very broad in scope, and then turn to my colleagues to ask more focused questions. How important is the Open Skies Treaty to strategic stability, and what are its most important provisions?

Lord Browne of Ladyton: May I say two things before I turn directly to the question? First of all, I again congratulate the Committee and your staff on *Rising Nuclear Risk, Disarmament and the Nuclear Non-Proliferation Treaty*. It was an excellent report. I travel in those circles quite a lot and it has attracted a lot of admiration and very positive comments from people who know and understand the issues. It is to the enormous credit of your Committee and your staff.

Secondly, may I say what a privilege it was to be in the wings, in the waiting-room, listening to the last session? It is difficult to know what to say now to some of the questions we were asked, because those answers were so comprehensive and so convincing. I have been trying hard to think what I can say that is in any way complementary.

Let me approach the question about strategic stability and the Open Skies Treaty in a slightly different way. You have been given a fairly comprehensive and accurate description of what the treaty does and how it works. The foundations of strategic stability have been built up over about 75 years. They consist of arms control significantly, but lots of other complementary powers for peace.

I regret deeply that we are now in an environment where they are being dismantled piece by piece. That is being done for a number of different reasons. Some of it is directly the responsibility of some of us who should have paid it more interest before, managed it a bit better, refreshed it and engaged with it, but it is also because it is under assault. It is under assault for political reasons, a lot of which are domestic but reflected in the international environment.

Ambassador Jenkins said at one stage, almost to herself as she was talking about arms control, that the Open Skies Treaty is not an arms control treaty. She said that in passing, and said that it did not really matter for the point she was making, but it is an important point because the treaty is a legally binding, confidence-building measure. Fundamentally, what we need for strategic stability is confidence and trust. That is why I think the treaty is so important. Your previous witnesses explained to you how it works and its mechanisms; it allows experts, the military and representatives of countries in the West and Russia to be in the same space and to work together. It is crucially important for people who will be faced with difficult decisions to have trust and confidence in each other. That is one of the treaty's enormous strengths and one of the great contributions that it makes to strategic stability. If we lose it, we will lose that.

What is certain in the world we live in, with the increasing scale, frequency and intensity of operations in close proximity, and the division between the West and Russia and Russia and Belarus at the moment, is that eventually an incident will happen between those two forces in their operations. They are not intended to be aggressive operations. People are just practising, but something will happen. It will be crucially important in those circumstances that we have people who have trust and confidence in each other to deal with them. We get there by exposing the people who make those decisions to each other. That is a really important point.

Another important point is that the operation of the treaty gives countries of the 34 who are in it and do not otherwise have the capability to get a level of transparency and the capability to get information independently that they can use and rely on to make their own decisions and own those decisions. That is crucially important to strategic stability as well.

There are other points in this space that I would like to make, but a point I make to you very strongly is that the foundations of strategic stability are underpinned by confidence and trust. We need confidence-building measures. We have very few of them. We have the Vienna document. We have this treaty and a number of others. We have very few of them, and we cannot afford to lose any of them.

Rose Gottemoeller: Thank you very much to the Committee for the honour of appearing before you this morning from Tahoe, California. It is a beautiful morning up here in the mountains. Luckily, we have none of the smoke in the Bay area. It is also wonderful to be on this panel with Lord Browne and a great honour.

Like Lord Browne, I have difficulty adding anything to the excellent previous panel about the overarching value of the Open Skies Treaty. As Lord Browne did, I would like to bolster the points that were made earlier, which I fully endorse, by stressing the particular diplomatic value that the treaty has been put to, and some of its particular military value.

On that point, it was the Open Skies Treaty that determined in spring 2014 that the Russian Federation was beginning to mass military potential on the eastern borders of Ukraine in preparation for the seizure of Crimea. In that case, the Open Skies Treaty had a very sound military warning value. Unfortunately, after the Russians shot down the MH17 aircraft, Open Skies Flights have not operated in that area because of a very real threat, we continue to believe, from the separatists in the eastern Donbass, and perhaps from Russia itself, although I doubt that. At the same time, the Open Skies Treaty community has put the treaty to excellent use in signalling to the Russian Federation some important messages—for example, at the time of the Kerch Strait incident in November 2018.

The Russian Federation, as you may recollect, closed down the Kerch Strait to access by Ukrainian naval forces so that they were not able to get into the Sea of Azov. At that point, the Open Skies Treaty community agreed to hold flights, not over Russia but over adjacent Ukrainian territory and air space, in order to signal to the Russian Federation the importance of the matter and the dire regard of the Open Skies Treaty community for the action. In that case, it carried an important political and diplomatic force behind the flights that took place.

I want to bolster the points that were made earlier by saying that there are a range of ways in which the Open Skies Treaty has contributed not only to military warning but to diplomatic and political messaging. That is an important point that I think did not come through so much in your previous session.

There are two additional small points. First, I underscore the point that Alexandra Bell made at the outset. The photos are not subject to deepfake. They are not subject to meddling, as with so many of the electronic means that come off satellites and so forth, which can be fiddled with in various ways. Open Skies photos are taken on aircraft where both parties are present, and both parties—the party taking the photos and the party being photographed—certify that the photos are correct, so they cannot be questioned. I think, especially in the future, that will be of particular utility as we begin to worry more and more about deepfakes and fiddling with electronic information.

My final point is just a small fact that I want to place before the Committee. The United States notified withdrawal from the treaty on 21 May this year. It has a six-month withdrawal period and has said that it wants to work to try to rectify its concerns about Russian compliance, so the actual withdrawal date, if the US proceeds with it, is 21 November or in that approximate area.

As you know, the election will have a lot to say about who carries the policy forward. It is clear to me from discussions among the team that works for Vice-President Biden that there is interest in continuing the treaty if possible. Of course, it is also possible at this point to continue to work with the Trump Administration to make the case for continuing with the treaty, rectifying the compliance concerns but continuing with the treaty.

Q9 The Chair: Thank you for adding so richly to the background that we had from our first session in your answers to that first overarching question. Our second questioner was going to be Lord Mendelsohn, who unfortunately is not well, so I will step in. My apologies to our witnesses.

It sounds as though this is a nice, snappy and short question, but as ever these things go rather more deeply. In your opinion, is Russia in breach of the Open Skies Treaty?

Rose Gottemoeller: This is a nuance that was discussed in your previous panel. We consider Russia to have significant compliance problems with regard to the Open Skies Treaty. It is not allowing flights to occur as they should in the neighbourhood of Kaliningrad. In that case, it is a technical issue, and it has been under scrutiny and has been worked on very hard in the compliance body of the Open Skies Treaty. I happen to believe that we are on the cusp of probably resolving that technical compliance concern, given the fact that, as was referenced, the Russians allowed the flight last spring with the US, Estonia and Lithuania to go forward—a flight that went beyond the bounds that it placed on it earlier.

I think there is some hope going forward. Unfortunately, with the Covid-19 pandemic we have not been able to conduct flights, so we have not been able to prove that. Given the tenor of the discussions in the compliance body of the treaty, I think we are on the cusp of resolving the technical problem.

The problem with regard to Georgia is political. It requires bigger resolution of the differences between Russia and Georgia, it will take more time to resolve, and it will take a larger community to resolve it than the community around the compliance body of the treaty.

My bottom line is that the Russians have serious compliance problems with the treaty. As your previous speakers said, Russia is not violating the treaty in a way that undermines the object and purpose of the treaty—in other words, it is not a material breach of the treaty. In that regard, I disagree with the Trump Administration, who have been pushing the notion that the Russians are in material breach of the treaty. They are not undermining the object and purpose of the treaty.

Lord Browne of Ladyton: When I read the question, I realised that it was a trap. It is a deceptively simple question, and it took me back to about 30 years ago when I practised law regularly, although I did not practise law in this area. In researching an answer, I got a bit tied up in the legalities. I was not surprised to discover that this area of law is

bedevilled by the indeterminacy of legal provisions, and that words really matter, whether you are talking about breach or non-compliance.

There seems, however, to be unanimity of view among people who know all the detail that there is non-compliance, and there seems to be willingness to engage with the issues. As Rose Gottemoeller said, it is surprising how much progress has been made in that regard despite the environment that surrounds the treaty at the moment.

That brings me to the point I want to make. You cannot deal with these issues. They are beyond problems. I do not think anybody would argue that the allegations the Russians are making about non-compliance by the United States and others are anything like the scale of the problem of the allegations that are made about their non-compliance. You cannot deal with them if you have no rule in existence to hold the parties to account, which was of course an argument that was advanced very strongly against the United States position in relation to the INF Treaty. You cannot deal with problems if you take away the mechanism that allows you to deal with them.

In this case, there is a compliance process, which can be worked through, and is being worked through. Whatever happens as far as United States membership of the treaty is concerned, the issues will have to be dealt with. They will have to be engaged with by the remaining parties. I think that is why the Foreign Ministers of 12 member states in a common statement reaffirmed, when the United States made the allegations in the first place, that "this treaty remains functioning and useful".

They went on to argue that regarding issues of treaty implementation they would "continue to engage Russia ... and other European partners to address outstanding issues". For obvious reasons, that is the answer I prefer, because I want the treaty to continue to exist, for all that it brings. The answer to allegations of non-compliance is not to take away the mechanism that would allow you to deal with them. That is a destructive method that does not work.

In annual compliance reports published by the US State Department, there was acknowledgement of some of the normative ambiguity that exists in many treaties. Repeatedly, they argued that "concerns relating to compliance involve matters of interpretation". That is not the vocabulary that is being used at the moment, but I seek to demonstrate a point that was made earlier by other witnesses. These problems arise in treaties. When you have mechanisms to deal with them that work, and when clever people such as Rose Gottemoeller, who negotiated treaties in an earlier part of her career, and the treaty that we are about to discuss, provide those mechanisms, that is where we should go to resolve the problems and not throw the baby out with the bathwater.

Q10 Lord Alton of Liverpool: Like you, Chair, I thank Rose Gottemoeller and our colleague, Lord Browne, for the sober, and sombre, assessment they have given us of the Open Skies Treaty and its importance. Open Skies can be dangerous skies as well, as we have seen in Nagorno-Karabakh

this week, with the shooting down of an Armenian aeroplane, and the tensions between Azerbaijan and Armenia inevitably being played out between Turkey and Russia as well.

In these wild-card and very unpredictable times, how valuable do you feel the treaty will be to the remaining states parties if in November, as is planned, the US pulls out? What are the principal issues, along with overflights and other questions that our previous witnesses mentioned, that need to be resolved in that scenario? What more can be done to keep Russia in the agreement? I ask that not least because in July the Russian ambassador said that the other states parties to the Open Skies Treaty had “not yet shown their willingness to assume responsibility for the treaty ... and to engage in a truly meaningful dialogue with Russia in order to resolve mutual claims”. Do you think that is true?

Lord Browne of Ladyton: The value of the treaty to the United Kingdom, to European members and other members, as well as to Russia, will continue. It will be diminished significantly if the United States is not a member, but it will continue and it is valued. There is no question about its value, which is why the 12 Foreign Ministers made that statement. I would argue that perhaps some of them have not been making the case for the treaty strongly enough with the current US Administration, but their intention seems to be to fix, preserve and strengthen the agreement, if they can. That is an effort worth making, not only for Euro-Atlantic security but for continued implementation; continued implementation means that the treaty can serve as an example for other parts of the world that could benefit from it.

One of the interesting things I learned about the treaty in preparation for this session—I did not know it before—is that it has an accession provision. The treaty is very adaptable and flexible. It is significantly adaptable to improvements in technology, as we have seen. Although an element of that has caused some friction, it will be worked through because there are consistent parameters for that.

We can dream about the possibility of other countries—Pakistan, India or China—joining the treaty. That is possible, because it has accession provisions. It is a remarkable treaty. It was agreed explicitly for the purpose of transparency and building trust and confidence. In the debates that took place in Congress on its ratification, people openly said that it might not give us access to better verification or visibility than we could get from other technical means that we have ourselves, but it would serve that purpose. It was born in the trust but verify environment. It is very important, and it will continue to be.

I have probably used slightly more time in answering that than I expected. The answer to the element of the question about the principal issues that have to be resolved in this scenario has been provided, interestingly for me, by a young man by the name of Alexander Graef—Alexandra Bell referred to him in her evidence earlier—in a policy brief published by the European Leadership Network, which I chair and partly founded and which has been mentioned a number of times by members

of the Committee. It is called *Saving the Open Skies Treaty*. I have a copy of it in front of me and I will give you a very short summary.

It sets out the issues that would need to be dealt with to allow the treaty to continue; some of them will need to be dealt with whether the US stays or not. Alexander Graef says that continuation of the treaty will depend on finding agreement in three areas—very convincingly; he persuades me that he is right. He refers to technical challenges for aircraft capacity; unauthorised data sharing, which may become an issue; the OSCC, the operating system for the treaty's budget; informal working groups; and treaty implementation. We have discussed quite a lot of the issues that arise about compliance and other things. He mentions quota redistribution, and the cost of the treaty's mechanisms, which were described as not being very much. In monetary terms, it is not very much and could be redistributed very easily.

It is all there in the document, and I will send the Committee team a link. It is about 16 pages long. It is a relatively easy read and very well written.

Rose Gottemoeller: I thank Lord Alton for bringing up the tragic events in Nagorno-Karabakh this week. I would like to make a simple point. These treaties are of continued value. Along with the Open Skies Treaty, the other two pillars of conventional arms control in Europe are: the Conventional Armed Forces in Europe Treaty, which the Russians ceased to implement in 2007, once again being the bad boys; and the Vienna document, a confidence and transparency-building measure. They are like three legs of a stool, and I am afraid that the stool is a bit shaky at the moment.

Despite Russia's virtual withdrawal from the CFE Treaty in 2007, the treaty has continued to play a confidence-building role in south Caucasus, particularly between Azerbaijan and Armenia. Now is a terrible moment, of course, but I want to make the point that the treaties, despite the fact that some important members are pulling back, or even formally withdrawing, continue to play a role. If the United States completes its withdrawal process, I am convinced that, although a major treaty party would be departing, the treaty could nevertheless continue and would continue to play an important role in very difficult regions of Europe; Nagorno-Karabakh and the south Caucasus is a very good example. We should not consider the withdrawal of one or other major treaty party as the final death blow of the treaty; it can continue to play an important role.

As to what should and can be done next, the coming week is the treaty's review conference. On October 7 and 8, there will be a review conference for the Open Skies Treaty. I hope that all our Governments take it extremely seriously and are preparing very well, because there will be very difficult discussions about flight quotas, the withdrawal notification of the United States, what to do next and the compliance problems that need to be resolved. The first order of business is to make sure that the RevCon is taken very seriously by all the states party. I have no reason

to believe that the UK Government are not taking the RevCon very seriously and preparing well for it.

The next stage should be some higher-level quiet diplomacy, with both the Russian Federation and Washington. I endorse the comments made earlier about the fact that, generally speaking, London has very good lines of communication with Washington, and quiet discussions at senior political levels about this matter can be and will be important. Washington is even more in an uproar today because of the sad fact of the illness of President Trump and his wife. We hope, of course, that they will quickly recover and be back on the campaign trail. That is only right and just.

I recognise how difficult it is to conduct high-level political discussions not only during a pandemic but during election season. Nevertheless, it is important. Furthermore, it is important to have those kinds of high-level discussions with Russia, with Moscow, so that it does not try to throw its weight around too much in the process of transition of the treaty, if it occurs.

The Chair: I am very conscious of time. We have to finish promptly at five. If you will excuse me, I propose to invite Lord Hannay and Baroness Helic to ask their questions immediately one after the other, and I will turn to Rose Gottemoeller and then Lord Browne to answer both of them together.

Q11 Lord Hannay of Chiswick: As a tailpiece to Open Skies, as you gave a really interesting answer about the military implications of Open Skies, Professor Gottemoeller, perhaps, first, you could give an idea of the proportionality that is brought into effect by the exclusions in Kaliningrad, South Ossetia and Abkhazia.

My main question is this: what is your assessment of the likelihood that New START may be extended? If so, would it be for the full five years or less? How significant were the recent talks in Vienna between the US and Russia, and what are the key issues that would need to be resolved before a Trump Administration extended it? It is clear that, if Vice-President Biden were elected, he would want to extend it, but what issues would have to be resolved for a Trump Administration to extend it?

Q12 Baroness Helic: I would like to make a declaration of interest. I am a member of the UN Secretary-General's Advisory Board on Disarmament Matters.

My question is related to the US Administration's stated 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 include China. How might those US concerns be addressed outside the New START process?

Rose Gottemoeller: Thank you very much for two excellent questions. On Lord Hannay's question about proportionality, it is wise to remember that these are relatively very small territories compared with the territory of the European continent, and certainly the continental United States.

These are matters of principle, clearly. The fact that Russia is using the interstices in the treaty to refuse certain lengths of flights near Kaliningrad, and to refuse outright flights to take place and flight quotas to be requested and carried out near the borders of Abkhazia and South Ossetia, is clearly a matter of principle.

The technical issue is less important, and should and can be resolved. Previous speakers spoke about the necessity of resolving these questions because they can pop up in other areas. If even a technical precedent is allowed to stand, other treaty signatories might see an advantage in promulgating that precedent elsewhere, so it is important to resolve that technical question.

The political principle is much more difficult to resolve and will take broader diplomatic action, but I am not so worried about it in the larger treaty effect for that reason. We need to try to focus on solving the problems and allow the rest of the treaty implementation work to get on with it.

As to the question with regard to New START and its extension, the Democratic Party platform, on behalf of Vice-President Biden, has already clearly stated that if President Biden is sworn in on 20 January he will move quickly to extend New START for a full five years. That is known to the Russians; the party platform is public, so that news is well out there.

The Trump Administration have made it clear that they are ready to extend the treaty for some period, but not for the full five years. I believe they have been talking about a year, which is a very short time to try to negotiate the next treaty. I had the experience of trying to negotiate New START in nine months. Negotiating the treaty and taking it through our ratification process in the Senate took a year and nine months, so it is short to say that you can do it all in a year's time. If they want to extend for a shorter period, I would advise a two-year extension, but in any event we will see what happens with that.

The other aspect is that the current Administration are putting a lot of conditions on New START extension. This takes me to Baroness Helic's question. They have said they want to ensure that the next treaty takes account of the new systems that President Putin has been bragging about: the hypersonic glide vehicle, the heavy ICBM, various strange nuclear-propelled systems, and the air-launched ballistic missile. Those are the demands they have placed in one area of conditionality.

Another is that they have said they want the door open for China to come into the next treaty. They are not demanding now that China be part of the New START, which does not make sense because of the great differential in the size of the US, Russian and Chinese arsenals. Nevertheless, they want the door open for China to be brought into the next treaty. They want the next treaty to limit non-strategic nuclear warheads and non-deployed nuclear warheads; in fact, they want to place a limit on all nuclear warheads.

Frankly, those proposals are good. I give the Administration credit for bringing up those issues, but I do not think their fulfilment in advance should sharply condition the extension of New START. It is simply not possible. It will take some time to figure out, for example, how we are going to negotiate about non-strategic nuclear warheads. It has always been very difficult to monitor and verify constraints on warheads, and that will take some technical work, some political heavy lifting and time to figure out.

I have been urging the Administration: "It's great that you raise these issues. We should also be beginning to talk with China". I agree with my colleagues on the previous panel who said that we should start with the basics with China and build up. That was an excellent point. Let us open the conversation but not demand that they immediately come to a nuclear reduction negotiation. It is just not feasible. Their arsenal is too small. Even the Department of Defense, in its report in September, said that the Chinese probably have only about 200 warheads. Compare that with the 4,000-plus warheads that both the Russian Federation and the United States have. We need to be aware of those differentials and the need to bring them along slowly.

Thank you very much for the opportunity to answer two sets of excellent questions.

Lord Browne of Ladyton: Bearing in mind the aggregate answer you have had about the likelihood of New START being extended from manifestly expert people who know more about that possibility than I do, I intend to address only the issue of new technology. There are a couple of reasons: first, I have some very specific things to say about it because of work that the Nuclear Threat Initiative has done; and, secondly, I have a growing interest in the area. For all the reasons that Alexandra Bell and Dr Lewis so ably articulated in the previous session, this is coming to the forefront of my thinking about strategic stability.

Let me deal with the issue of new technology. It is often pointed out by people who argue about the new technology that Russia is developing new nuclear delivery systems that are outside New START. Colleagues of mine at the Nuclear Threat Initiative have assessed that two new Russian strategic systems that are likely to be deployed during the lifetime of an extended New START to 2026—the Sarmat ICBM and the Avangard hypersonic glide vehicle that will be launched on an ICBM—will both be covered by New START. The Russians confirmed that publicly, and in the context of discussions with their US counterparts they reiterated it. They have exhibited the Avangard to US inspectors, as required under the treaty. Moreover, preserving the treaty is the only way to ensure that those systems will be subject to numerical limits and treaty inspections.

The other novel strategic delivery systems under development do not fall under the categories subject to New START, but they are very unlikely to be deployed by 2026, which would be during the extension period. Including such systems in a future agreement is an important goal, and it should be a key negotiating point between Washington and Moscow when

we look to a successor to New START. If we had followed the normal pattern of arms control established for a period of time, those negotiations would have started some time ago and we would be in the successor agreement. We need to start thinking about that and those technologies, as other witnesses urged on you.

China is a sovereign country. The idea of extending a bilateral treaty to include a third party may not be legally impossible, but it is very challenging. China is expanding its nuclear arsenal and stockpile, although it is significantly smaller than that of the United States and Russia and closer in size to that of the UK and France. We would all have the ambition that China should be involved in multilateral discussions—I think France and the United Kingdom should some day be involved in them, too—but if we are to get to where we want to be on arms control and disarmament, it cannot be done without a separate negotiation. To hold the New START treaty hostage to that seems to me harmful and verging on strategic folly. To lose what we have, with all its benefits, because of such a flawed agenda seems to me complete strategic folly.

Q13 Lord Purvis of Tweed: Thank you both. This is an absolutely fascinating session.

Lord Browne, you referred to our Committee report last year. Like Lord Reid, who referred to it in the previous session, I too was very privileged to be on the Committee at that time. In our report, in arguing for New START's extension and calling on the UK Government to use their best endeavours to seek to persuade the United States to extend it, we said: "We are dangerously close to a world without arms control agreements". That will now be the backdrop potentially, if there is no extension of New START, to the review conference on NPT in 2021. I know it is hypothetical, but what impact do you think that would have?

You may have caught the end of the previous panel. What I found very interesting was [*Audio drop-out*]. Our Committee report also called for a change of tone in reference to the TPNW.¹ Given the fact that, as Dr Lewis said, it is now four countries short of coming into force, and, as Ambassador Jenkins said, it adds a valid layer for countries that are looking for commitments and actions, what do you think would be the impact of that set of circumstances on the review conference?

Lord Browne of Ladyton: I will try to be brief and answer in the way I have been trying to do up until now, which is to adopt many of the things that have already been said to you. If New START is not extended, it will be desperately negative. I use the adjective "desperately". It will be desperation for some people and desperately negative to the NPT. Because of Covid-19, we have more time before the Review Conference on the NPT, and we should take advantage of that to try to ensure that we do not have that negative effect.

I draw the Committee's attention to a statement published by the Arms Control Association in May 2019. The reason for doing so is that it is a

¹ The Treaty on the Prohibition of Nuclear Weapons

statement I endorsed, along with a number of other people who have interest and expertise in the area. It was in a different environment, because the INF Treaty was still alive at that stage, but it was significantly about the position with regard to New START. I will read you, in short, part of what I and others endorsed, because it expresses what I believe it will do to non-proliferation and the Non-Proliferation Treaty if the treaty is not extended. I will send your clerk the link to the whole thing so people can see I am not distorting it.

It says that further progress in nuclear disarmament or at the very least active negotiations to that end by, in this case, the United States and Russia is "at the core of their NPT Article VI obligation to 'pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament'", and "a treaty on general and complete disarmament under strict and effective international control". The association also says: "Disarmament leadership from the United States and Russia, which possess the vast majority of the world's nuclear firepower, is also critical to the essential task of engaging the world's other nuclear-armed states in the global enterprise to achieve a world without nuclear weapons".

If we allow that step to take place, to contradict that solemn obligation, it will feed strongly into the frustration that was deeply at the heart of the TPNW. It will allow people who want a different and separate discussion on these issues, which I do not think will lead us to where we want to be—we are more likely to get there on the NPT path—to say, "We told you so. We were right all along. This is a dead end. You need to pursue our path". Instead of what your Committee recommended and I recommend, which is more opportunity for the two sides to come together to work for the benefit of a safer world, it will divide them again.

We will get the desperately disappointing spectacle, which the P5, interestingly and until recently under Chinese leadership, displayed, of a group of nuclear-armed states coming together to say that the reasons why they have nuclear arms are substantially caused by the problems that non-nuclear weapons states generate for them, distorting reality. That is the reality. This will just confirm it and create division at a time when we need more multilateralism. If Covid-19 has taught us anything, it must be that the existential threats we face in the world, some of which we are creating ourselves, can be addressed only if we work together. It will further chip away at and destroy the multilateralism that we need to deal with all the problems we face in the 21st century.

Rose Gottemoeller: I will be brief, because I endorse Lord Browne's assessment of the impact on the NPT if New START goes away. I want to underscore a point that I should have made earlier: that President Putin himself has already said that New START would incorporate the new Sarmat heavy ICBM as well as the hypersonic glide vehicle, known as the Avangard. At the highest level of the Russian government, they have already declared their intention to bring those new systems under New START, which I think is another excellent reason to argue for a five-year

extension of the treaty. Let us keep the heavy ICBM and the HGVs under control for another period of time while we work on a new treaty. Some Russian experts have also said that the air-launched ballistic missile—the system known as the Kinzhal—would be brought under the treaty.

I agree with Lord Browne about the TPNW and the impact on the NPT Review Conference. I am quite concerned that the impact on the NPT could be dire, as he recounted, and that if the NPT is weakened, and in some way its implementation is unable to continue being carried forward, a situation will arise where, if the TPNW enters into force, we will have a treaty of a lesser standard in some ways. That is what has worried me about the TPNW all along; it has a lesser standard on issues such as nuclear safeguards.

For that reason, I have argued both as an official in the US government, and after leaving government, that the TPNW in some ways undermines the NPT. The TPNW itself undermines the NPT because of the situation with lesser standards. I worry about that quite a bit. I hope and believe we will get New START extended, even if President Trump should be re-elected, but it is not a done deal; there is no question about that.

- Q14 **Baroness Rawlings:** In this unstable world, it is clear from all we have heard today how important the treaty is for reducing risk. What actions can the UK Government take both to encourage the US to reconsider its decision to leave the Open Skies Treaty, and to urge the US and Russia to extend New START, even with the new Administration coming along? How effective do you think UK advocacy has been on the issue so far, and what more could be done? We heard a bit about that before, but it would be very nice to hear from you.

The Chair: May I go first to our US expert and then our UK expert?

Rose Gottemoeller: In some part, I answered the question earlier when I spoke about the necessity of trying to engage at political level with the US Administration, because, quite honestly, President Trump wants a new treaty. That has become very clear to me. Over the last six to eight months, he has had eight telephone calls with President Putin. Every public report from the Ministry of Foreign Affairs or the Kremlin, and sometimes from the White House, has mentioned that the two men are working together on a future nuclear treaty. I believe the President wants that.

The problem is that there is a disconnect between the Oval Office and what is wanted and, I have to say, perhaps some mischief-making. Perhaps it is that, or perhaps it is a notion of tough diplomacy that I do not think pays dividends. Sometimes, I call it megaphone diplomacy—talking to each other in the press rather than quietly behind the scenes. Nevertheless, even given the cacophony of our election season and now the President's illness, it could still be effective to try to reach out quietly and speak to the White House at this time as well as to the Kremlin. The UK is well regarded in both capitals, so that can have some influence.

What can be done further? My view is that the UK did us all a great service 10 years ago in being the creator of the P5 process and has always been a great leader in it. As Under-Secretary of State for Arms Control and International Security, I twice had the advantage of participating in and chairing the US delegation to meetings of the P5 in London. The UK has always been extraordinarily effective in that body in driving forward the agenda.

You are quite right, Lord Browne: China has taken more of a leadership role. I think that is a good sign. The degree to which the UK Government are now willing to step forward and re-strengthen and re-emphasise the P5 process as a way to move forward at this moment is not a particularly popular message with the Administration in Washington, but it is a practical message and it is definitely a venue where the Chinese are willing to begin to take some baby steps to talk about strategic arms reduction. Again, that is a very hopeful sign.

Lord Browne of Ladyton: I endorse everything that Professor Gottemoeller has said. I want to tell you how proud I am to have been invited to share this space in giving evidence. I admire her immensely.

I want to finish in a slightly tangential way, but I hope you will get the point. Only this week, the Chief of the General Staff, General Sir Nick Carter, launched what is called the Integrated Operating Concept. In a very interesting speech, he described how we will form our defence forces in the world of the future. He described it extraordinarily well. He made reference to the disappearance of measures of arms control and to counterproliferation, and anticipated the last arms control treaty, New START, ending in February. He went on to describe what the consequences of all that would be, including this fact: "The upshot is that the threat of unwarranted escalation and therefore miscalculation between military protagonists is now clear and present".

He opened his speech by reminding us of the Prime Minister's vision for the future of Global Britain, "where the UK is considered an outwardly looking, internationalist country, that acts as a burden-sharing and problem-solving nation, making a tangible contribution to tackling diplomatic and security challenges in our neighbourhood and beyond". I think that describes significantly what we have been in the past.

If we aspire to be that again, in relation to this particular treaty, our Government need to re-read the very clear recommendation of your Committee in its report on the rising nuclear risk. You recommend that the Government should make clear to the US "the value the UK attaches to this treaty being extended beyond 2021 and its importance to Euro-Atlantic security". They need to do that publicly, privately and repeatedly, and they need to get allies from NATO and other countries across the world that have an interest to join us in doing it. They need to take strong leadership in that respect, and I hope your Committee will recommend that.

The Chair: I thank our witnesses in this second session. It has been our

privilege to hear from you. Clearly, your expertise goes to the heart and beyond of the subject that we have been inquiring about today, one that is of importance to all those alive today and for the future. Thank you very much indeed.

In closing this session, I remind my colleagues that we will soon meet on Microsoft Teams for a discussion of what we have heard. My goodness, we have heard today an exceptional series of witnesses giving us an exceptional amount of valuable information. Thank you very much indeed.