The Agenda for Arms Control Negotiations After the Moscow Treaty

PONARS Policy Memo 278

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October 2002

Ratification of the Strategic Offensive Reductions Treaty (SORT, or the Moscow Treaty), signed by Vladimir Putin and George W. Bush on May 24, 2002, is all but certain. Critics in both capitals have apparently been proven wrong—it turned out to be possible to break with three decades of arms control experience and traditions and to sign a treaty that almost completely lacks substantive provisions; even those that are included into the treaty cannot be efficiently verified. In contrast, this treaty exemplifies the Bush administration's assertion that the United States and Russia no longer need complicated treaties that impose many restrictions on the maintenance, operation, and modernization of the two countries' nuclear arsenals.

Optimism about near unlimited flexibility, which the new treaty grants both sides, seems misguided, however. Although traditional concerns about a "bolt out of the blue" first strike have no place in the existing environment, both sides still need the reassurance and mutual trust that only a robust transparency regime could provide. Both sides have already proclaimed their intention to pursue further negotiations: the United States appears to favor the exchange of data whereas Russia seems more interested in measures that would limit the uploading capability of the United States. Either way, at issue is the predictability of the U.S.-Russia strategic relationship.

The stable cooperative relations between the United States and Russia offer an opportunity that should not be missed. The two sides feel reasonably safe vis-à-vis one another and can afford approaching transparency negotiations without undue haste.

Deterrence after the Cold War

The Moscow Treaty is often rationalized by the assertion that the relationship between the United States and Russia no longer rests on the notion of mutual assured destruction (MAD) as it did during the Cold War; thus, it should not matter how many weapons each side has or how many warheads could be uploaded on delivery vehicles. This assertion, however, conceals the fact that even before the end of the Cold War, MAD came to be gradually substituted by deterrence, based on the notion of unacceptable damage, which does not necessarily presuppose complete destruction as the precondition for deterrence.

In principle, the relationship of deterrence can emerge between almost any two nuclear powers, even though its formal attributes do not necessarily translate into plans for immediate use of nuclear weapons. During the Cold War, the United States and the Soviet Union believed

that conflict was likely and planned for the use of nuclear weapons on short notice in case of an attack by the adversary. In contrast, Russia's 2000 military doctrine confirmed that nuclear weapons continue to serve as a deterrent to a large-scale attack, but simultaneously classified such conflicts as highly unlikely. Nuclear weapons were reserved for the case of an unforeseen change in the international environment. Furthermore, even in the absence of a conflict that might require the use of nuclear weapons, the U.S. nuclear arsenal would continue to serve as a benchmark to assess the Russian deterrence capability—if Russia could deter the United States, it could deter any other state or coalition of states.

In some types of relationships nuclear weapons have no place at all, for example, between the United States and Great Britain. Indeed, their example is often used to justify why the United States and Russia do not need any treaty at all. Such a relationship, however, cannot be built quickly and might require a certain external environment (for the United States and Great Britain, this was the common Soviet threat) and considerable time. Attempts to pronounce the policy of deterrence as over in the U.S.-Russian relationship are futile; as long as nuclear weapons exist, deterrence will be present at least implicitly and will die out only as a new quality of relationship is achieved and maintained for a protracted period.

Deterrence does not represent a dichotomy between MAD and friendship; it is a continuum where transition from one to another is operationalized in the definition of unacceptable damage. The new, cooperative relationship between the United States and Russia means that the stakes in whatever conflict might emerge will probably not be worth even a single nuclear warhead. Thus, Russian acceptance of SORT is based on the conviction that deterrence will be preserved even though Russia is likely to have no more than 1,500 deployed warheads (likely less than that) and the United States will be able to add 2,400 warheads it has announced it will warehouse to the 2,200 allowed under the treaty.

This situation contains an element of instability, however. Deterrence is first and foremost about perceptions, and if the political relationship becomes worse, even temporarily (and almost any international crisis can produce that—over Iraq, Georgia, Central Asia, etc.), old suspicions might be rekindled, and the ability to inflict unacceptable damage might then be questioned. Deployment of a very robust missile- defense system before a new alliance-like relationship takes root might have similar consequences.

Transparency under New Conditions

The fundamental reason for entering into nuclear arms-control agreements during the Cold War was predictability. Both the United States and the Soviet Union needed reassurance that the other side would not unexpectedly acquire first strike capability. To this end, they established more or less equal limits on the number of strategic weapons and, more importantly, qualitative limitations on modernization and the operation of their respective strategic arsenals. Without this framework the strategic relationship could have become unpredictable and each side could have engaged in an arms race, fearing that the other would overtake it. The function of the treaties dictated their main thrust: limitation of the number of delivery vehicles or warheads that could be launched in one strike.

Various forms of verification (data exchange, on-site inspections, exchange of telemetry information) played a supporting role, reassuring each party that the other was complying with substantive obligations with regard to the size and the capabilities of its strategic nuclear arsenal.

Low levels of mutual trust demanded complicated (even cumbersome) and expensive verification procedures. The availability of means of verification also often dictated the scope of limitations: for example, the SALT process imposed only limited restrictions in part because the Soviet Union was reluctant to accept on-site verification, while satellite surveillance could provide only a very limited amount of information. Only the introduction of on-site inspections allowed the highly detailed, comprehensive regime of INF (Intermediate Range Nuclear Forces) and START I (Strategic Arms Reduction Talks) Treaties.

Traditional arms-control goals no longer apply today. In the absence of a systemic conflict, neither side fears the massive surprise first strike of the other. Hence, the emphasis on flexibility is only logical, and the virtual absence of substantive provisions in the Moscow Treaty could be expected. In fact, simplification of START I rules and procedures was first discussed within the context of START III consultations in 1997-2000.

The search for flexibility, however, played a trick on both sides, but especially on the United States: it appeared that in the absence of provisions that require verification, there was no need for a robust verification system. The ingrained image of verification measures as cumbersome and expensive also prevented a fresh look at these traditional elements of arms control regime.

In fact, the need for predictability remains considerable. In January 2002, a single newspaper article generated concern that Russia had deployed tactical nuclear weapons in the Kaliningrad Oblast, a small exclave of Russian territory between Poland and Lithuania. Had the two countries created a transparency regime on tactical nuclear weapons in 1991 to complement Presidential Nuclear Initiatives (PNIs)—unilateral parallel statements of George Bush and Mikhail Gorbachev that launched deep reductions of tactical nuclear weapons—there would have been an instrument in place to resolve these concerns. In a more politically stressful environment the same article could have generated a major crisis between the two countries.

The same might happen in the area of strategic weapons as well. Immediately after U.S. withdrawal from the ABM Treaty, Russia announced START II null and void (on June 14, 2002), announcing the intention to preserve its heavy ICBMs SS-18 (intercontinental ballistic missiles). These missiles had been a concern for the United States for a long time, and the elimination of MIRVed ICBMs (land-based strategic missiles with multiple warheads) was the central element and the rationale for START II. The United States met that announcement calmly, but one wonders whether that attitude will remain unchanged ten years from now.

Modernization of strategic weapons, including the MIRVing of Topol-M ICBM or, for example, the fact that new Russian submarine-launched ballistic missiles (SLBMs) carry 10 warheads instead of four, might cause suspicion among at least some observers (as it happened with tactical nuclear weapons in Kaliningrad) and then spread among the political establishment. Similar processes can take place even more easily in Russia, where many military and civilian experts remain concerned about the ability of the United States to secretly upload its strategic weapons, doubling the number of deployed warheads in a short time.

Thus, although neither the United States nor Russia need complex arms-control treaties any longer and can safely retain maximum flexibility in the planning of their respective nuclear postures, it remains vital that both have sufficient information about each other' nuclear arsenals, both strategic and tactical. If information is sufficient and independently verifiable, then it will not matter what each side does with its arsenal—it will not be a surprise to the other, and then political and military crises will not appear out of misperception or parochial political agendas.

The greatest drawback of SORT is precisely the absence of transparency provisions. Without transparency, the argument can too easily be made that this treaty does not have sense or meaning.

START I, which will remain in force for at least another seven years, is of little help. Its verification system was not shaped to track operationally deployed warheads—only missiles. Inspections to verify the number of warheads on ballistic missiles are few, and downloading cannot be verified at all on U.S. SLBMs. This has been a cause of concern for Russia under START I and might become an even greater cause of friction within the SORT context. The bottom line is that with or without START I, the Moscow Treaty needs its own data exchange and verification system.

At the moment, the two sides' approaches toward transparency appear inadequate, at least to the extent that these approaches could be gleaned from open sources. The United States seems to favor the exchange of information, but in a rather informal manner, without determination of categories of data and procedures for providing it; verification of that data is also probably not on the agenda, at least not yet. Russia apparently favors achievement of predictability through limiting uploading capabilities, but might be prepared to discuss the exchange of data as well.

Differences of opinion should not be an obstacle, nor should they become a reason for not pursuing negotiations on the matter. The level of trust and cooperation is sufficient to allow unhurried negotiations. The agreement is not necessarily needed in a matter of months; both sides can afford to wait for several years. It is only vital that they continue the process and genuinely seek transparency. The transparency mechanism should concentrate on nuclear warhead stockpiles in all its elements—deployed, stored, eliminated, produced, refurbished, etc.

Furthermore, it is also advisable to start with simple data exchange and verification measures, moving to a more comprehensive regime when both sides test procedures and are prepared to make the next step. The deadline for negotiations is still many years ahead, at the end of 2009 when START I expires. Extending that outdated treaty does not make any sense whatsoever, although some U.S. officials suggested that as a possibility. Thus, the United States and Russia might remain without any transparency mechanism in the area of strategic weapons for some time. By that time, it is advisable to have in place at least elementary measures and to make progress in developing a more robust mechanism.

It has been said that the Moscow Treaty signals the end of the Cold War in nuclear weapons arms control. In fact, the Cold War in that area will end—or, at least, its resumption will become impossible—only when the United States and Russia have an adequate transparency system for their nuclear arsenals.

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