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# The INF Treaty: The Way Forward

**EURO-ATLANTIC SECURITY**

**REPORT**

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# The INF Treaty: The Way Forward

## Executive Summary

After years of unsuccessful diplomatic efforts to resolve mutual U.S. and Russian allegations about violations of the Intermediate-Range Nuclear Forces Treaty (INF), the accord is in serious danger.

- The **United States** accuses Russia of flight-testing and deploying a Treaty-prohibited ground-launched cruise missile, the SSC-8.
- While denying these allegations as unsubstantiated, **Russia** has been for years signaling its discontent with the treaty; it also formulated its own allegations of US non-compliance, including those concerning the US Missile Defence (MD) installations in Europe.

Keeping the treaty in limbo is not viable in the long term. The United States puts pressure on its European allies to agree a common approach to the INF by the upcoming NATO summit in July 2018. Yet, there is little in the way of **military or economic coercion** that NATO or the U.S. could plausibly undertake that would bring the Kremlin back to compliance.

Military and economic measures can at best serve as an adjunct to diplomacy. If, as they claim, Washington and Moscow are truly interested in maintaining the INF treaty, they need to speed up work for a **diplomatic solution**:

### 1. Preserve the INF

- The U.S. should make a unilateral offer of MD transparency to break the stalemate, win moral and negotiating high ground, build pressure on Russia

and strengthen the credibility of its position in Europe.

- Europe should insist on putting Moscow to such a diplomatic test before deciding to pursue expensive military and economic measures against Russia. European NATO allies should also try to convince Washington to consider verifiable limits on regional ballistic missile defence in response to Russia resolving the SSC-8 non-compliance issue.
  - In parallel, Europe should work i.a. with China and India to see whether the proposal of a global INF regime, which would eliminate all types of ballistic and cruise missiles between 500 and 5.000 km, can be revived.
- 2. If INF cannot be preserved, manage its collapse**
- If diplomacy does not succeed and INF collapse is seen as inevitable, its failure should serve as a springboard to negotiate better, more modern arms control arrangements.
  - Washington should propose to work together with Moscow on the successors to the INF and New START treaties, which should not be seen as a reward for bad behaviour but investment in a more stable future.
  - In a post-INF environment, European NATO allies should explore cruise missile defence as a credible, collective answer to hedge against guided missiles, including the SSC-8.

# The INF Treaty: The Way Forward

**The future of the Intermediate-Range Nuclear Forces Treaty (INF) is in serious jeopardy. Years of diplomatic efforts have failed to resolve competing treaty violations allegations by the United States and Russia. Collapse of the treaty would adversely impact not just Russia-US strategic relations but security in Europe. The United States and its NATO allies are now considering a broad set of military and diplomatic responses aimed at bringing Russia back into compliance.**

**The key to finding measures that might work is a proper understanding of Russia's motives for its alleged development of a treaty-prohibited missile system. Rather than being a response to deteriorating relations between Russia and the West, Moscow's violation seems to be primarily about the rapidly worsening missile threat on all of Russia's flanks. If that is the case, a more imaginative response is called for than a re-run of the INF trade-off of the 1980s.**

## 1. The problem

Over the years, the US intelligence agencies have watched the development of a Russian programme that has allegedly led to a fundamental breach of Moscow's INF commitments. In 2008, the George W. Bush administration pointed to the flight-testing of a Russian ground-launched cruise missile (known now in the United States as SSC-8 and in Russia as the 9M729) with an intermediate range between 500 and 5.500 kilometres as a treaty breach. Since December 2016, Moscow has allegedly gone further and has actually deployed the new cruise missile.<sup>1</sup> US officials believe that since this first deployment Russia has increased production and delivery of the system.<sup>2</sup> There is no publicly available evidence that the missile is non-compliant with the INF Treaty. But after years of persuasion, Washington has apparently convinced its NATO allies to acknowledge that Russia is indeed in breach of the treaty.<sup>3</sup>

***"There is no publicly available evidence that Russia's new missile is non-compliant with the INF Treaty."***

Moscow has repeatedly denied these charges,<sup>4</sup> and has raised three counter-allegations regarding US INF compliance.<sup>5</sup> Firstly, it accuses Washington of using non-compliant target missiles for tests of ballistic missile defence systems. Secondly, it raises concerns that US armed drones meet the treaty's definition of ground-launched cruise missiles. Thirdly, and most seriously, it identifies the multipurpose MK-41 launcher deployed as an element of land-based ballistic missile defence in Europe as a potential violation of the treaty, alleging that it can be used to launch the Tomahawk intermediate-range cruise missile.

Since 2013, the United States has repeatedly

raised its concerns with Russia at various levels.<sup>6</sup> Yet so far, the two sides have been unable to agree on the facts, let alone find a solution. Even though Washington and Moscow agreed to “work to preserve and strengthen”<sup>7</sup> the treaty at the last meeting of the INF Special Verification Commission in December 2017, the treaty’s prospects are in practice grim. Washington cannot indefinitely refrain from action without undermining its own credibility. And if Russia is indeed deploying larger numbers of non-compliant missiles, this violation is growing increasingly costly to reverse.

### *“The treaty’s prospects are in practice grim.”*

There is a lot at stake. As a cornerstone of the current European security order, the INF treaty prevents miscalculations and provides some limited escalation stability in Europe. Its collapse would acrimoniously exacerbate US-Russia and NATO-Russia confrontation. It is argued that this would make extension of New START and the negotiation of a successor US-Russian strategic nuclear arms control agreement very difficult, thus potentially leading to an absence of any international strategic nuclear arms control for the first time in almost 50 years. And it would have a negative effect on general missile non-proliferation efforts, including within the Missile Technology Control Regime.

Although the deal is bilateral, Washington now expects its NATO partners to come up with a common approach in support of its position. At last October’s NATO defence ministerial in Brussels, US Defense Secretary James Mattis set the next NATO summit in July 2018 as a deadline for Europeans to make up their minds.<sup>8</sup> And if NATO should prove unable to come up with a collective response, the U.S. would “go it alone under a White House led by Donald Trump,” Mattis reportedly warned.

## 2. INF treaty obligations and history

In the second half of 1970s, the Soviet deployment of SS-20 intermediate-range ballistic missiles cast doubts on the credibility of US security guarantees to allies in Europe. The Soviet missile could strike European allies with little advance warning. But NATO had nothing comparable. Some allies feared that this deterrence gap could tempt the Soviet Union to strike in Europe without attacking the United States. They pushed for a NATO response. By stationing Pershing II ballistic missiles in Germany and ground-launched cruise missiles in the UK, Italy, the Netherlands and Belgium, the United States put Soviet command and control systems at risk, reassuring allies. Simultaneously, Washington extended a diplomatic offer to Moscow on reciprocal reductions of intermediate-range nuclear missiles. Negotiations started in 1980 and eventually succeeded under President Mikhail Gorbachev, with the United States and the USSR signing the INF treaty in 1987.

This landmark deal removed an entire category of ground-launched cruise and ballistic missiles with a range between 500 and 5.500 kilometres (no matter whether conventional or nuclear) and their launchers. By May 1991, the United States had eliminated all their approximately 800 and Russia all their approximately 1.800 INF missile systems.<sup>9</sup> Yet the treaty covered neither air- and sea-launched missiles nor missile defence interceptors, and did not include any countries other than the USSR and the United States.

The treaty established the Special Verification Commission (SVC) as an implementing body to resolve compliance issues and improve the treaty’s viability and effectiveness. The treaty also introduced a first-of-its-kind verification regime using a broad spectrum of intrusive on-site inspections, extensive data exchange and the use of national technical verification means. The inspection regime

was concluded and all inspection activities ceased in May 2001, in accordance with the terms of the agreement.

### 3. Positions of key actors

#### 3.1. United States

The US government wants to bring Russia back to INF compliance and insists that it has for its part already addressed Russia's allegations of US non-compliance. It expects Moscow to completely and verifiably eliminate the prohibited missile system<sup>10</sup> and resolve residual concerns within or outside the framework of the treaty.<sup>11</sup> While the Obama administration pursued solely diplomatic efforts,<sup>12</sup> the Trump administration intends to negotiate from a position of strength, adding "economic and military measures" in parallel to the diplomatic track.<sup>13</sup>

*"The Trump administration intends to negotiate from a position of strength."*

These economic measures include sanctioning companies involved in the production of the INF-prohibited missile.<sup>14</sup> The military measures include reviewing options for a conventional ground-launched cruise missile system within the treaty's range<sup>15</sup> and pursuing a nuclear-armed sea-launched cruise missile.<sup>16</sup> The US Congress also tasked the Defence Department to direct additional missile defence capabilities towards Russia.<sup>17</sup> Washington believes that some military muscle flexing by the United States and other NATO allies should remind Russia why it signed up to the INF treaty in the first place.

#### 3.2. Russia

Russia describes the US accusations as unfounded and declines to reveal any information on the SSC-8 system.<sup>18</sup>

Consequently, its motives for the alleged breach remain largely unclear. Successive US administrations have not attributed a motive either. Only with the recent Nuclear Posture Review, we read: "Moscow believes these systems may provide useful options for escalation advantage."<sup>19</sup> For several years, however, the Kremlin has signalled discomfort with the INF Treaty and underlined Russia's disadvantageous position resulting from it. On several occasions, President Putin has expressed discontent with the US advantage in air- and seaborne cruise missiles. These are not covered by INF and are systems that Russia started matching only recently.<sup>20</sup> Moreover, the Kremlin appears concerned that US precision conventional weapons<sup>21</sup> and ballistic missile defence systems<sup>22</sup> alter strategic stability between the two powers.

Moscow also regularly points to the unrestricted access to short and intermediate range ground-launched missiles enjoyed by "almost all countries in the world"<sup>23</sup>, including nearly all of its neighbours. President Putin has pointed out that the United States does not face the same situation in its neighbourhood.<sup>24</sup> In fact, over the years since the INF treaty was signed, the horizontal proliferation of INF-range missiles has brought the majority of Russian territory within range of a number of countries. China's conventional missile force includes road-mobile ballistic missiles with ranges between 1.000 km (DF-16), 2.150 km (DF-21) and 4.000 km (DF-26); a silo-based ballistic missile with a range up to 5.500 km (DF-4), and a ground-, ship-, submarine-, and air-launched cruise missile family with a range up to 3.000 km (HN).<sup>25</sup> The Indian AGNI ballistic missile family (3.200-5.000 km),<sup>26</sup> the Pakistani Shaheen 3 ballistic missile (approximately 2.750 km), the Israeli Jericho-3 ballistic missile (4.800-6.000 km),<sup>27</sup> the Iranian ground-launched Soumar cruise missile (up to 3.000 km) and the North Korean No-Dong ballistic missile (1.200-1.500 km)<sup>28</sup> could all hold at risk parts of Russian territory, if these countries wanted to do so. In these very practical respects, in terms of rapidly developing US and Asian

capabilities, the 1987 INF treaty is becoming overtaken by events, at least for Russia.

Therefore, the new Russian SSC-8 missile seems to be an attempt to address military power shifts taking place on both of Russia's flanks - European and Asian - and to provide a general response to a set of threats arising out of the broader accessibility of weapon technologies which are prohibited to Russia by the INF treaty.

On this view, the SSC-8 is not primarily a response to NATO activities. At the same time, however, the choice for denial and ambiguity in the way Russia handles the deployment might well be a move designed for Europe, aimed at stirring unease and weakening NATO's cohesion.

In past years, Russia has unsuccessfully tried to convince the United States to go for a joint withdrawal from the treaty.<sup>29</sup> On another occasion, Moscow secured Washington's support for the treaty's universalization, but did not win over the rest of the international community for this idea.<sup>30</sup> Although these attempts remained unsuccessful, Russian decision-makers continue to refrain from withdrawing from the INF,<sup>31</sup> at least as long as the U.S. also stays within it.<sup>32</sup>

### 3.3. NATO

Unlike in the 1970s, NATO allies have not openly been calling for more US security guarantees in response to the SSC-8. On the contrary, they have remained rather quiet. This might be considered surprising given that the INF Treaty is a key pillar of European—not American—security. Arguably, European allies have at least as great a stake as the United States in sustaining the treaty.

But there are a number of factors influencing the European position. Importantly, European allies are not party to the treaty. Therefore, they cannot participate in SVC negotiations nor force any steps provided for in the treaty.<sup>33</sup>

Moreover, until recently, several allies had been doubtful about the US evidence for the Russian violation. Additionally, European NATO allies have been in range of Russian conventional and nuclear missiles for years (the Tochka and Iskander-M tactical missiles – range approximately 500 km; the 3M-14 Kalibr sea-launched land-attack cruise missile – approximately 2.500 km; the KH-101/102 air-to-surface long-range cruise missile – approximately 4.500 km; and Russia's ICBMs and SLBMs which could also strike targets in Europe). Thus, the new Russian missile adds fuel, but in purely defence terms does not light a new fire.

*"European allies have at least as great a stake as the United States in sustaining the treaty."*

Until lately, NATO made only general appeals to Moscow to honour the INF as a "crucial element of Euro-Atlantic security", calling on Russia to preserve the treaty.<sup>34</sup> With the December 2017 NATO statement, the Europeans for the first time united behind the evidence provided by the United States of Russian violations of the treaty.<sup>35</sup> Yet the allies remain divided on the response, both between each other and in their own domestic politics. For instance, while supporting a diplomatic solution to the INF problem, Poland underscores the importance of NATO nuclear deterrence.<sup>36</sup> By contrast, Germany wants to keep the INF intact,<sup>37</sup> but calls for a new arms control initiative instead.<sup>38</sup> It favours a US-Russian transparency-based solution<sup>39</sup> and calls upon Moscow to dispel the accusations of non-compliance.<sup>40</sup>

Berlin stands out in the European landscape, as a dedicated debate on the INF has already reached the German Bundestag. While the social democratic SPD members of the governing coalition do not support US plans to begin research on the development of INF-range missiles and would object to their

stationing in Germany, their conservative CDU/CSU coalition partners prefer a “carrot and stick” approach as the best way to influence Russian behaviour, yet without clearly indicating what such a strategy would entail.<sup>41</sup> These differences make finding a common response even inside Germany difficult, and illustrate well the dilemmas over the most effective way to deal with the INF crisis felt by many Europeans.

#### **4. The options**

Russia’s alleged breach of the INF Treaty cannot remain indefinitely unanswered. Even though the risk to US territory is low, the new Russian cruise missiles pose a threat, albeit not a decisive one, to US allies, US forces and infrastructure in Europe.<sup>42</sup> More importantly, however, and in fact whatever the truth of Russia’s behaviour, NATO’s allegation of a Russian INF breach puts the credibility of arms control treaties as order- and predictability-building instruments in Europe more than ever at stake. Beyond the measures that they have already introduced, European allies and Washington are reportedly weighing a set of some three dozen military and diplomatic responses to the Russian breach.<sup>43</sup> The potential impact and feasibility of the most significant options are discussed in detail below.

##### ***4.1. Military options***

Since Moscow believes that by fielding ballistic missile defence and other capabilities in Europe and East Asia, Washington wants to increase its superiority over Russia, additional military measures introduced by the U.S. and NATO would probably fuel Russia’s sense of being under siege and thus lead to a Russian military counter-reaction. Negotiating “from a position of strength” might work, but only if it credibly threatens the use of some big ‘sticks’ and is unanimously supported by all NATO allies. It is, however, questionable whether the Alliance has the resources and

the political will for this.

A treaty-compliant conventional **defensive response** could include developing and directing **cruise missile defence** capabilities against Russia. NATO identified a cruise missile threat<sup>44</sup> as early as the 1990s but, for reasons of politics, technical difficulty and limited resources, focused its attention on defending from ballistic missiles only. Consequently, the alliance currently has no defence against ground-launched cruise missiles. Since cruise missile defence is not an off-the-shelf-product, its development would require years. Yet only the US Congress has so far shown an interest in funding the development of active defences to counter ground-launched missile systems within the INF ranges.<sup>45</sup>

The U.S. might want the support of its European allies to **modify the NATO ballistic missile defence system to provide protection against Russia**.<sup>46</sup> Yet this would stir up an internal NATO controversy, threaten NATO integrity and weaken NATO credibility, since NATO allies have agreed to a missile defence system on the very public condition that it would not be capable of defending against Russia—a pledge that NATO has maintained despite the ongoing tensions with Moscow.<sup>47</sup> In any case, a re-configured NATO missile defence system would not be a direct response to Russia’s INF violation, since, as NATO insists, the existing system is unable to defend against cruise missiles. Japan, which is considering deploying two land-based Aegis Ashore ballistic missile defence systems, is also considering equipping them with the Standard Missile-6 to enable cruise missiles intercepts.<sup>48</sup> If this turns out to be a viable and effective cruise missile defence solution, it may be a longer-term option for the European theatre as well.

As a non-nuclear **offensive** response, the United States wants to review military concepts and development options for a **ground-launched intermediate-range missile system**.<sup>49</sup> Defense Secretary Mattis

hopes that this would be enough of a threat to persuade Russia to trade the cancellation of such a US programme for its return to INF treaty compliance.<sup>50</sup> Yet while feasibility studies, design work and development are not a breach of the INF treaty, “industrial activity involving the construction of one or more missiles, stages, or launchers”, their testing and/or deployment would be.<sup>51</sup> Thus, if construction studies failed to impress Moscow, the U.S. would need to withdraw from the treaty itself in order to take the next step and produce such missiles. Proceeding beyond research without withdrawing from the treaty would play into the Kremlin’s hands, allowing Russia to point a finger at American “misbehaviour.” Moreover, such ground-based systems would arguably add little to air- and sea-based options and would make military sense only when deployed in Europe. With the exception of some allies, finding adequate basing options in Europe for US missiles would be a diplomatic challenge. Pushing individual allies to accept such a deployment would run the risk of dividing NATO as a whole. Therefore, this option is simply unconvincing, as Moscow surely knows.

***“Why should a new SLCM deter Russia in the future any more than the previous one did before 2011?”***

In the long term, the United States also wants to use a new **nuclear sea-launched cruise missile** (SLCM) to counter the Russian INF breach.<sup>52</sup> However, this does not present a convincing response either. The United States operated a nuclear Tomahawk sea-launched land-attack cruise missile (TLAM/N) at the time when Russia presumably decided to proceed with its violation.<sup>53</sup> After storing the weapon for over ten years, the U.S. Navy retired it in 2011 because it “served a redundant purpose” that could “be adequately substituted” by other means if needed.<sup>54</sup> Why

should a new SLCM deter Russia in the future any more than the previous one did before 2011? Moreover, the operational flexibility of ships carrying such weapons would be constrained by the block that several allies place on the deployment of nuclear weapons on their territories (Denmark, Norway, and Spain - in peacetime, Iceland and Lithuania – at any time).<sup>55</sup> Furthermore, the idea of developing a nuclear SLCM seems to serve more than an INF purpose: according to the US 2018 Nuclear Posture Review “if Russia returns to compliance with its arms control obligations, reduces its non-strategic nuclear arsenal, and corrects its other destabilising behaviours, the United States may reconsider the pursuit of a SLCM.”<sup>56</sup> While Russia might see this as an offer, it also might see it as too vague and too broad to take it seriously. Moreover, the offer is contingent on further reductions in non-strategic nuclear weapons, which Russia uses to offset NATO/U.S. conventional numerical superiority in Europe and to deter China.<sup>57</sup> Adding another US nuclear missile capability will not change this calculus for Moscow.

NATO is also pondering **strengthening the credibility** of US extended nuclear deterrence for Europe. Possible options include expanding the B2/B52 “training” presence in Europe and/or increasing the nuclear readiness level of the US nuclear forces deployed in Europe (dual-capable aircraft and B-61 bombs). Yet, since the United States deployed its strategic bombers to Europe in 2014 and 2017<sup>58</sup> without changing Russian behaviour on Ukraine, such a move would be unlikely to change Moscow’s INF reasoning. The B2/B52 presence in Europe would be more about reassuring allies than about changing Russia’s mind. Similarly, increasing the alert level of the B-61 in Europe is unlikely to solve the INF treaty dispute or provide additional deterrence value: Russian anti-access area denial systems (A2AD) already make it a serious challenge for NATO dual-capable aircraft to carry out the nuclear mission.<sup>59</sup>

NATO is also looking at **conventional offensive responses**. Advancing the deployment of more troops in Europe, improving mobility of NATO forces within Europe, the permanent stationing of conventional-armed B-52, F-35 or long-range artillery and the strengthening of anti-submarine warfare are all on the table. Yet, these NATO options are being explored for wider deterrence reasons. They would not directly defend Europe from non-compliant Russian cruise missiles per se and could not plausibly be explained as a response to the INF violation either. Still, by presenting the violation as part of a larger pattern of alarming Russian behaviour and offering to wind back the NATO response if Russia returns to INF compliance, such steps might put cumulative pressure on Russia over INF, without counter-productively inflaming the NATO-Russia confrontation.

It is worth going through the various military responses under active or potential consideration, if only to demonstrate that none of them, on their own, look likely to work very well to "incentivize Russia to engage in good faith".<sup>60</sup> All of them of course to some degree carry the risk of worsening NATO-Russia confrontation, rather than making it better through a return to treaty-based arms control. And if Russia's motivation for the SSC-8 deployment is not primarily NATO- or even US-related, the size of US and NATO military sticks with which to beat the Kremlin back into INF compliance might have to be unusually large since US and NATO military measures would not be addressing the core problem that the SSC-8's development is designed to address. There is no neat parallel to be drawn with NATO's ultimately positive experience in the 1980s from the deployment of Pershing IIs and Gryphon cruise missiles. Thus, it makes sense to consider whether diplomacy might fare any better, possibly in combination with military steps.

## 4.2. *Diplomatic options*

There is a broad range of diplomatic options in terms of formats and actors to be involved, as well as ways to handle the alleged Russian violation. Diplomatic solutions require strategic patience, and normally strive for win-win and face-saving outcomes. They can have the advantage of lowering the escalation potential, may prevent spending already limited financial resources on arms and often assist in building stronger bonds for the future.

### 4.2.1. *Channels for diplomacy*

**"Both sides need to agree on the nature and seriousness of the alleged violations."**

The **SVC remains the best diplomatic instrument** as the implementation body established by the treaty to resolve compliance issues by mutual agreement. In order to proceed with any technical investigation of compliance, both sides need to agree on the nature and seriousness of the alleged violations, and commit political will to addressing them in a systematic and verifiable manner. Thus far, Russia denies that the US evidence of its alleged violation is sufficient, while the United States claims to have already addressed all Russian concerns.<sup>61</sup> Washington resists sharing more technical information from fear that this would compromise its intelligence sources and methods, which Russia might then try to counter. However, Washington says it remains interested in addressing Russian concerns about US compliance, if Moscow were to take US concerns "seriously".<sup>62</sup> Moscow, for its part, claims readiness for a "non-political, professional dialogue with the US."<sup>63</sup> This suggests that there is still room for diplomacy if the political will can be found.

**Multilateral diplomatic consultations on the INF Treaty within the NATO-Russia Council** could in principle be another possibility to address the mutual US and Russian allegations of treaty violation. If Washington wants NATO allies to support military responses, it will be hard to deny them the opportunity to look for diplomatic solutions in parallel. European NATO members might conceivably press for NRC discussion on INF Treaty as a way of bridging an increasingly frustrating US-Russia gap. But numerous factors make this option implausible. Firstly, Washington and other NATO allies would fear the scope for Russian wedge-driving. Secondly, Moscow might dislike the idea of being put in the dock and anyway prefers, as it sees it, to talk to the organ grinder and not the monkey. Finally, the NRC would have to have become more operational than it currently is, given the US block on the establishment of working groups to prepare ambassadorial level discussions.

A more viable European option than the NRC route, would be for **NATO allies** with good standing in Moscow and leverage in Washington, such as Berlin and Paris, to work to **involve themselves in the Russia-US process**. Allies potentially resistant to purely diplomatic approaches to the INF problem, such as Poland, carry particular responsibility for persuading Washington not to give up on diplomacy. Marrying diplomacy to military responses could strengthen NATO unity and international credibility in the face of deeply troubling Russian behaviour.

#### 4.2.2. Tackling the substantial issues

Beyond the different channels for diplomacy, there is a wide range of possible approaches to tackle the substance of the INF crisis.

**Transparency and confidence building measures** between the United States and Russia could provide a technical, face-saving route out of the crisis if the two sides are indeed compliant as they claim, and if a collapse of the treaty is a worse outcome

for them than goodwill gestures. One-off or periodic on-site inspections and exhibitions of the SSC-8 and the MK41 launcher could address the most serious respective allegations. The United States needs to show that the ground-based "Aegis Ashore vertical launching system is not the same launcher as the sea-based MK-41 Vertical Launching System", that it is indeed "only capable of launching defensive interceptor missiles,"<sup>64</sup> and that it not only cannot launch Tomahawk missiles but has none of these missiles deployed at the European site/s. Russia needs to convince the United States that the SSC-8 missile does not violate the INF treaty by showing that it cannot achieve a range between 500 and 5.500 km. The New START Treaty Annex on Inspection Activities and the INF Treaty Inspection Protocol provide blueprints for exhibition procedures aimed at demonstrating distinguishing features and confirming the technical characteristics of weapon systems. The Vienna Document with its procedures regarding demonstration of new types of major weapon systems also provides guidelines both sides could follow or adapt.

*"There is scope for diplomacy to address Moscow's concerns in return for clear Russian INF compliance."*

One diplomatic proposal that would at least put respective claims of compliance to the test (and on the US side consolidate NATO solidarity) would be resuscitation of the lapsed INF inspection provisions. And in terms of missile defence test targets and drones, Russia and the United States could work to amend the treaty by rewriting and specifying language where needed to overcome similar concerns in the future.

**NATO's limitations on its ballistic missile defence (BMD)** offer a particularly strong angle for European diplomacy. Even though NATO BMD consists almost wholly of US

infrastructure, with Europeans providing only a few assets, it is a NATO system governed by NATO consensus which thus gives European allies a formal say. Although NATO repeats that the system “is not directed at Russia,”<sup>65</sup> Moscow fears the opposite. So there is scope for diplomacy to address Moscow’s concerns in return for clear Russian INF compliance.

This is a difficult diplomatic terrain. For several years, the United States, NATO and Russia unsuccessfully discussed possibilities for cooperation on strategic BMD. Politically, the United States never much wanted to cooperate with Russia on strategic BMD and in the end never had to. The US Congress now prohibits the integration of any US BMD system with a Russian one.<sup>66</sup> Whether Russia ever really considered cooperation on strategic BMD as possible or desirable is doubtful too. Moscow does not share NATO’s ballistic missile threat assessment and it does not possess relevant capabilities. In addition, most of its cooperation proposals were aimed at weakening NATO’s resolve.<sup>67</sup>

Nevertheless, Moscow might be highly interested in limiting ballistic missile defence capabilities as part of any agreement to resolve the INF issue. Since March 2011, Moscow has called for a “legal guarantee” that US missile defences would not be directed against Russian strategic forces.<sup>68</sup> The parties have never thoroughly discussed this, as Washington refused any limitations on its BMD systems.<sup>69</sup> Today, NATO officially still displays some conditioned openness to BMD talks with Moscow.<sup>70</sup> Verifiable limitations to prevent NATO BMD ever being used against Russian targets might ease Russian concerns, whether these are sincere or otherwise, curb its interest in offensive weapons able to destroy the NATO system, and increase its incentives for INF compliance. Next to quantitative and qualitative caps on regional BMD, stationing the interceptors outside of the ground-based launching pads and a verification mechanism

could serve as transparency and confidence-building measures.

On the “sticks” side, European NATO allies could join the United States in considering **additional economic pressure on Russia**. Yet imposing economic costs does not necessarily alter the political behaviour of the punished government. Sanctions imposed on Russia because of the conflict over Ukraine did not bring about a significant change in the Kremlin’s political calculus.

**Withdrawing from the INF Treaty** - a kind of last resort solution - remains an option for the U.S. and Russia. With good diplomacy, this withdrawal could be consensual. With even better diplomacy, this might lead on to more constructive engagement about missile threats to Euro-Atlantic stability. As of now, neither Moscow<sup>71</sup> nor Washington<sup>72</sup> seems willing to give up the treaty. But a Russian withdrawal citing wider missile developments on its periphery would at least provide clarity about Russian intentions and would arguably be less corrosive to NATO-Russia relations than Russian INF violations and denials. It could in principle open a path to a more productive US-NATO-Russia debate about respective missile postures than the current prospect of sterile accusations and counter-accusations about INF non-compliance. The U.S. would most probably follow suit after a Russian withdrawal as it would resist being unilaterally bound by the treaty’s provisions. This would open a new phase in which Russia could legally rebuild intermediate-range capabilities to address current threats, but would need to expect a comparable response. While freedom from INF limitations might bring Russia some marginal improvement to its deterrent capabilities and address its conventional inferiority, Moscow might not welcome the prospect of an arms race – especially not one on both of its flanks. Such considerations make Russia reluctant about INF withdrawal today. Yet while the U.S. and NATO operate within the treaty’s limits – at least for now

- Russia's Asian neighbours do not need to wait for the INF's dissolution. They can deploy additional capabilities or implement alternative hedging strategies.

A verifiable **multilateralisation of the treaty and extension of its scope** would offer the most sustainable solution of all, but is also the toughest to achieve. Such an effort could simply seek to replace the INF treaty with a universal ban on land-based ballistic and cruise missiles with ranges between 500 and 5.500 km. Yet, like the INF treaty itself, such a ban would seem strangely partial and outmoded if it was not extended to prohibit all types of missiles, including air - and sea-launched ones. This would be more sustainable as rapid technological development is increasingly blurring the boundaries between these systems.<sup>73</sup> Given the rising interest and investments in ballistic and especially cruise missiles by states all over the world, international interest in multilateralisation might well be limited. But this has yet to be put to the test. And multilateralisation could hold considerable interest for the U.S. and NATO, not just Russia. Expansion of shorter and intermediate-range missiles in Asia poses a significant security challenge to U.S. interests and its power projection capabilities in that region.<sup>74</sup> The looming prospect of uncontrolled INF dissolution might also give Asian states incentives to constrain a Russian breakout and US responses.

## 5. Incentivise, not punish: recommendations for Russia, the U.S. and Europe

Moscow may indeed be in conscious violation of the INF. But it seems rather preciously NATO-centric to believe that, at least a decade ago, President Putin decided to invest in a missile system simply in order to violate an arms control treaty with the United States or to drive wedges into NATO. Thus, if Moscow's violation is in fact a response to its weakening position vis-à-vis the U.S. and Russia's Asian neighbours as well as missile proliferation trends, the United States and NATO must come up with ideas that embrace the problem comprehensively rather than address it in a tit-for-tat manner.

Keeping the treaty in limbo is not viable in the long term for US domestic and foreign policy. If, as they claim, both Washington and Moscow are truly interested in maintaining the INF treaty, they need to speed up work for a diplomatic solution.

Washington's and NATO's military and economic options against Russia look unpromising on their own, and are unlikely to sway Russia's view on INF. This is not to say that these measures should not be pursued in parallel. But they should be seen as an adjunct to diplomacy. They are a means of signalling seriousness of intent, not a tool for successful coercion. And arguably, with President Putin's nuclear sabre-rattling and the US 2018 Nuclear Posture Review, both sides have sufficiently signalled their general discontent for specifically INF-related measures to be redundant.

### 5.1. Try to preserve the INF

The best solution, because it is the cleanest, would be for Washington and Moscow to resolve their compliance concerns and preserve the treaty. The negotiations are becoming a trial of strength. But the side that

first makes an offer of transparency to break the stalemate would prove the sincerity of its conviction that it was INF-compliant and that the other side was not. This would give moral and negotiating high ground, build pressure on the other side for transparency, and strengthen the credibility of its position in Europe.

### **5.2. Use unilateral offers of transparency**

If Moscow were to offer credible exhibitions of the SSC-8, this would largely resolve the issue. It is hard to believe that the U.S. and NATO would not respond positively to a finding that Russia was, after all, compliant. It is in any case not obvious why – even if Russia's allegations are judged to be spurious – the United States should block Russian verification of a NATO BMD system (the MK-41 launcher in particular) that cannot be directed against Russia. This seems especially true when, in other spheres, military transparency is such a point of pride for both the United States and NATO. Of course, in the real world there are real US congressional and some Alliance obstacles, but this is nevertheless a point on which European diplomacy should press. Why does it make strategic and financial sense to pursue expensive military and economic measures against Russia before putting Moscow to the diplomatic test?

### **5.3. European NATO allies, play a more active diplomatic role**

Indeed, key European allies should go further: they should invest their diplomatic energy in convincing Washington to consider verifiable limits on NATO ballistic missile defence. The delay of the U.S. Missile Defence Review and the construction of the Aegis Ashore site in Redzikowo<sup>75</sup> provide a welcome timeframe to make that case to Washington. European allies would also reinforce their credentials –

and Europe's security – by working in parallel with Washington to strengthen constraints on Middle Eastern regional ballistic missile development.

### **5.4. Put the violator on the diplomatic back foot**

If the U.S. were to offer in the SVC the negotiation of fresh wording on armed drones and test interceptors and, on NATO's behalf, a credible exhibition of the MK-41 VLS and Moscow still declined to arrange a credible exhibition of the SSC-8, Washington would be on a much stronger footing with European and international opinion in drawing the hard conclusions. Indeed, for exactly this reason, the U.S. should go further to sharpen the compliance test for Russia.

***"The U.S. should go further to sharpen the compliance test for Russia."***

It would be profoundly unwise and undesirable to link extension of the New START Treaty to the fate of the INF. But the United States should nevertheless privately undertake that if Moscow could satisfy its concerns about the SSC-8 by – say – the end of 2018, then President Trump would not further delay over the New START extension. President Trump's announced meeting with President Putin to discuss strategic stability<sup>76</sup> would serve as a perfect venue to make the offer.

### **5.5. More imaginative, bolder diplomacy**

Certainly, the deliberate and denied violation of a crucial arms control treaty should be sanctioned. But the analysis above suggests that there is little in the way of

military or economic coercion that the United States could plausibly undertake that would bring the Kremlin back to compliance, even if Washington acted on its own, as Defense Secretary Mattis has reportedly warned.

Even worse: were such a coercion to fail, it might accelerate an arms race and deepen a confrontation in which Europe, at least, but not necessarily President Putin, would be the loser. Moreover, forcing the other side into compliance seems counterproductive to what arms control aims to achieve in the first place—namely, building trust and predictability. This all makes the case for more imaginative, bolder diplomacy.

### ***5.6. If INF cannot be preserved, make its termination consensual***

For sure, it would not be the best outcome for strategic nuclear arms control to collapse in acrimony fuelling the existing confrontation. And while a preserved INF treaty would be best, a managed departure from the treaty would be better than its outright failure. In the face of continued Russian non-compliance, Washington should be ready to acknowledge that if the treaty no longer serves Moscow's security interests, Russia has a right to leave the INF. This would mirror the U.S. withdrawal from the Anti-Ballistic Missile Treaty. It would be far more in US and NATO interests to have clarity than to allow Moscow's continued obfuscation, which is potentially divisive inside the Alliance and is destructive of trust in traditional arms control more generally. Yet it might be hard to persuade Russia to leave the easy and familiar path of denial. This would especially be the case if its security establishment believes that ambiguity serves it well and that clarity would mean the eventual increased presence of INF-range ground-launched missiles along all Russia's flanks, including the European one. At the same time, however, as interested as Moscow is in further strategic stability talks with the United States, Kremlin should also know that there is no political room for agreements beyond

New START unless the INF problem is either solved or terminated.

### ***5.7 If INF cannot be preserved, work for a successor to it***

Washington should not agree to a joint withdrawal because that would put the United States on the same footing as a party that it will want to demonstrate was indeed non-compliant. The U.S. would thus want to subsequently terminate INF on its own terms. But it certainly should propose that Washington and Moscow work together on successors to the INF and New START treaties. It is in US and NATO interests, and not just Russia's, to remain at the heart of a functioning international strategic nuclear arms control regime and thus being better able to shape the evolving international nuclear non-proliferation process.

### ***5.8. Think bigger***

If the INF collapses without a way forward, not just the United States but also NATO should already have a Plan B. It is European security that is affected, more than that of the United States. Again, there is a particular role for key European allies in working this through.

Inevitably, some part of this would be a response to the military implications. NATO allies should explore cruise missile defence as a credible, collective answer to hedge against guided missiles, including the SSC-8. Indeed, this would be a more pertinent option even now, in preference to the military offensive options described above. The Polish and Romanian decisions to procure Patriot batteries,<sup>77</sup> the controversial Turkish quest for Russian surface-to-air missile defence systems (S-400)<sup>78</sup> and the German MEADS deal expected for the end of 2018<sup>79</sup> may all provide some initial capabilities to counter such threats.

But the termination of the INF would also mark

an important fork in the road for nuclear arms control and for the treaty-based European security framework. It would affect President Trump's ability to extend New START, not to mention negotiating a new agreement. And with the CFE, Open Skies Treaty and the Vienna Document in limbo, threatened or weakened; an INF collapse would serve as another nail in the coffin for European security arrangements. Yet, it would be highly unsatisfactory vis-à-vis NATO's domestic and international publics to have nothing more to offer than the prospect of long-term confrontation with Russia. Just because one side had chosen to destroy the INF should not mean that the other side should not be constructive. Once again, European allies may be able to contribute significant diplomacy.

The immediate focus should be a proposal to globalise the INF treaty since it would be the obvious locus for action. However difficult, the dynamics of working with the likes of China and India to see whether Russia could be coaxed into compliance with a wider INF regime could be positive. With their vast array of experience in cooperative security arrangements, Europeans could try to win key international players to such an initiative.

***"The immediate focus  
should be a proposal to  
globalise the INF treaty."***

But the United States and NATO should be thinking bigger. As discussed above, a proposal globally to eliminate all ballistic and cruise missiles between 500 and 5.000 km might be more negotiable than a globalised INF proposal that addressed only ground-based systems. U.N. Secretary-General Antonio Guterres vigorously promotes the idea of a major new disarmament initiative. This could serve as an anchor for INF-related talks.

In any event, NATO should be ready with proposals for European security and should be ready to introduce its arms control and

confidence-building ideas in discussions with East Asian countries. Reactions to INF failure should not reward bad behaviour but should become a springboard to better, more modern arrangements.

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