

THE CHALLENGES OF NATO NUCLEAR POLICY

ALLIANCE MANAGEMENT UNDER THE TRUMP ADMINISTRATION

Robert Bell

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In no aspect of NATO’s deterrence and defense posture is the challenge of Alliance management more demanding than in its nuclear dimension. This is especially the case at a time when Russia’s aggressive actions and threatening behavior have fundamentally changed the security environment in Europe, and President Donald Trump’s approach to NATO has presented challenges of its own.

In this context, it is crucial that Allies understand the positions that they have agreed on in terms of arms control, disarmament and non-proliferation (ADN), as well as nuclear weapons policy, doctrine and posture.

Considering the security benefits they receive in return for the United States’ extension of its nuclear deterrent to its NATO Allies, these states must also distinguish between the nuclear-related roles and responsibilities they are expected to take on and those with regard to which they have the option to ‘opt out’.

For its part, the Trump Administration must appreciate that if all Allies are expected to close ranks behind the enhancements to NATO’s nuclear posture that are needed in order to respond to Russia’s threatening behavior, many will require an equally robust arms control, disarmament and non-proliferation posture as a *quid pro quo*.



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INTRODUCTION

The American political scientist Kenneth N. Waltz observed in his classic study of the theory of international relations that: “In the quest for security, alliances may have to be made; once made, they have to be managed”.¹ Among the many dimensions of the deterrence and defense posture of the North Atlantic Alliance, none presents more demanding challenges for managing the ever-present imperative for maintaining consensus, solidarity and unity among all Allies than NATO’s nuclear dimension. This is especially true at a time when Russia’s aggressive actions and threatening behavior have fundamentally changed the security environment in Europe, and President Donald Trump’s approach to the Alliance presents challenges of its own.

This Working Paper looks at the challenges of NATO Alliance management from the point of view of the US as well as its NATO allies. It is crucial that Allies understand the Alliance’s consensus positions on arms control disarmament and non-proliferation (ADN), on nuclear policy, doctrine and posture; and the inter-relationship between the two. For the Trump Administration, that means understanding, and acting upon, the political reality that if Allies are to join consensus behind the enhancements to NATO’s nuclear posture that are needed in order to respond to the security challenges now being presented by Russia, maintaining a robust ADN policy is the quid pro quo for many members.

In addition, the non-US Allies must also recognize that the security benefits they receive from the United States’ extension of its nuclear deterrent in defense of their sovereignty and territorial integrity requires obligations in return. Accordingly, it is crucial that Allies understand the distinction between the nuclear-related roles, responsibilities and obligations they are expected to take on, and those with regard to which they have the option to ‘opt out’.

STRATEGIC CONTEXT FOR NATO NUCLEAR DETERRENCE

In 1983, President Ronald Reagan said: “A nuclear war can never be won and must never be fought”.² That insight remains as true today as it was 35 years ago. NATO’s challenge, therefore, remains to find ways to ensure that an essentially incredible threat can continue to credibly underpin its overall deterrent posture and advance Allies’ security interests. To this end, for more than a half century, under Republican and Democratic administrations from Richard Nixon to Barack Obama, US policies on nuclear deterrence have consistently been linked to its policies on nuclear arms control and strategic stability. Both elements of the nuclear dimension of national security – deterrence and arms control – have been developed, negotiated and implemented in their inter-relationship.

For over 50 years, the deterrence policy of “Mutual Assured Destruction” (MAD) has been broadly defined by the United States to include a survivable second-strike-capable Strategic Nuclear Forces (SNF) “Triad” of heavy bombers, ICBMs, and SLBMs, plus forward-deployed Non-Strategic Nuclear Forces (NSNF), to provide Extended Deterrence to allies in Europe and the Pacific.³ During these decades, the United States has spent literally trillions of dollars on nuclear weapon modernization and replacement and on nuclear enterprise sustainability, including for the past 25 years the capacity to maintain confidence in US nuclear bombs and warhead models in the absence of actual nuclear explosive testing.

That investment of national treasure has been paralleled by successive nuclear weapon reduction efforts based on the principles of reciprocity and verifiability. From Richard Nixon to Barack Obama, the United States secured a progression of treaties that were proposed and negotiated (albeit not always ratified and brought into force) to enhance stability and thereby reduce the threat of actual nuclear weapon use, including the Strategic Arms Limitation Treaty (SALT)

1 Waltz 1979, p. 166.

2 Address to the Japanese Diet in Tokyo, November 11, 1983.

3 However, the last US non-strategic nuclear weapons were withdrawn from South Korea during the George H. W. Bush Administration in December 1991.

and Anti-Ballistic Missile (ABM) Treaty under Richard Nixon, the second SALT (SALT II) under Jimmy Carter, the Intermediate-Range Nuclear Forces (INF) Treaty under Ronald Reagan, the first Strategic Arms Reductions Treaty (START I) under George H. W. Bush, the Comprehensive Nuclear Test-Ban Treaty (CTBT) under Bill Clinton, the Strategic Offensive Reductions Treaty (SORT) under George W. Bush, and most recently the New START under Barack Obama.

This parallel arms control track has paid dividends in terms of fulfilling US obligations under Article VI of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT).⁴ The total US nuclear arsenal was reduced by over 75% from 1990 to 2014; the total number of deployed US strategic warheads has been reduced by 80% in this same period; and from its peak, the total number of deployed US non-strategic nuclear bombs and warheads was reduced by more than 90%.⁵ As announced by then Vice-President Joe Biden at the end of the Obama Administration, the active US nuclear stockpile is now down to 4,018 weapons in service, with another 2,800 in line for destruction.⁶ For the past five decades, the NPT has remained in force, and in 1995 the Clinton Administration, in concert with the UK, France, Russia and China (the so-called P-5), secured its indefinite and unamended extension. Throughout this period, only a handful of new nuclear weapon states emerged – a number far below what conventional wisdom predicted in the 1960s – and some nations voluntarily yielded their nuclear arsenals or terminated their nuclear weapon development programs.

In recent years, however, Russia's hostile and provocative foreign and defense policies have dramatically changed the post-Cold War strategic context for NATO nuclear deterrence policy. As summarized by NATO Heads of State and Government at their July 2018 Brussels Summit:

“The Euro-Atlantic security environment has become less stable and predictable as a result of Russia's illegal and illegitimate annexation of Crimea and ongoing destabilization of eastern Ukraine; its military posture and provocative military activities, including

near NATO borders, such as the deployment of modern dual-capable missiles in Kaliningrad, repeated violation of NATO Allied airspace, and the continued build-up in Crimea; its significant investments in the modernization of its strategic forces; its irresponsible and aggressive nuclear rhetoric; its large-scale, no-notice snap exercises; and the growing number of its exercises with a nuclear dimension.”⁷

NATO leaders also condemned Russia's conduct on the arms control and confidence- and security-building front, noting that the military threats cited above were being “compounded by Russia's continued violation, non-implementation, and circumvention of numerous obligations and commitments”.⁸

NATO'S POSITIONS ON ADN AND ON NUCLEAR POLICY, POSTURE AND DOCTRINE

Notwithstanding the malign Russian behavior and aggressive actions cited above, the Alliance has for its part remained committed to its ADN goals. It continues to believe that a partnership with Russia “based on respect for international law and commitments, including as reflected in the NATO-Russia Founding Act and the Rome Declaration, would be of strategic value”, although it acknowledges that the conditions for such a partnership do not currently exist and that “there can be no ‘business as usual’ until there is a clear, constructive change in Russia's actions”.⁹

NATO has made it clear that the NPT “remains the cornerstone of the global non-proliferation regime and has an essential role in the maintenance of international peace, security and stability”.¹⁰ At their recent Brussels Summit, Allies also emphasized that they “are strongly committed to full implementation of the NPT in all its aspects, including nuclear disarmament, non-proliferation, and the peaceful uses of nuclear energy” and they “reaffirmed their resolve to seek a safer world for all and to take further practical steps and effective measures to create the conditions for further nuclear disarmament negotiations and the ultimate goal of a world without nuclear weapons in full accordance with all provisions of the NPT,

4 Under Article VI of the NPT, “Each of the Parties to the Treaty undertakes 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 on a treaty on general and complete disarmament under strict and effective international control”.

5 Roberts 2016, pp. 47–48.

6 Remarks by the Vice-President on Nuclear Security, January 11, 2017. Washington, D.C., Office of the Vice-President, the White House.

7 Brussels Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels, 11–12 July 2018, NATO Press Release, July 11, 2018, Paragraph 44.

8 Ibid.

9 Ibid., Paragraph 9.

10 Ibid., Paragraph 44.

including Article VI, in an ever more effective and verifiable way that promotes international stability, and is based on the principle of undiminished security for all”.¹¹ Allies also praised the New START and urged its extension, commended the United States and Russia for the strategic arms reductions undertaken to date, declared their support for further arms control negotiations, and called on all nations “to declare and to maintain a voluntary moratorium on nuclear weapon test explosions or any other nuclear explosion, pending the potential entry into force of the Comprehensive Nuclear-Test-Ban Treaty”.¹²

In what was effectively a ‘package deal’, NATO Allies at Brussels juxtaposed these ADN policy positions with paragraphs on enhancing the Alliance’s nuclear deterrent capabilities to take account of changes in the security environment. Since the adoption of its Deterrence and Defense Posture Review in 2012, being a member of NATO has meant agreeing that deterrence of aggression by a potential adversary against a NATO Ally or Allies depends on an “appropriate mix” of conventional defenses, missile defenses *and nuclear forces*.¹³ This third “leg” of NATO’s deterrence “triad” could, in a hypothetical Article 5 collective defense scenario that NATO considers “extremely remote”, entail the so-called “first use” of US nuclear weapons if a nuclear-capable state’s aggression threatened the “fundamental security” of an Ally or Allies.¹⁴ Such “first use” by NATO could be initiated even if the nuclear-capable aggressor state had itself not used nuclear weapons and even if the United States had not been directly attacked. US Extended Deterrence is assumed to apply to all/all NATO Member States, no matter how large or small. However, in the absence of a specific policy declaration by the United States to the contrary, it cannot be assumed to apply to any nation not a member of the Alliance.

At their Brussels Summit, NATO Allies elaborated on, and in some cases strengthened, these basic nuclear deterrence and defense principles. Several examples best illustrate this point:

- Allies restated their fundamental positions that “As long as nuclear weapons exist, [NATO] will remain a nuclear alliance”, and that “[g]iven the deteriorating security environment in Europe, a credible and united nuclear Alliance is essential”;
- They reaffirmed their determination to maintain “the *full range* of capabilities necessary to deter and defend against any threat to the safety and security of [their] populations, wherever it should arise”(emphasis added);¹⁵
- Allies also reaffirmed the NATO “first use” policy by warning any potential aggressor in carefully coded language that, “If the fundamental security of any of its members were to be threatened, however, NATO has the capabilities and resolve to impose costs on an adversary that would be unacceptable and far outweigh the benefits that any adversary could hope to achieve” while emphasizing that, “The circumstances in which NATO might have to use nuclear weapons are extremely remote”;
- They noted adaptations in the nuclear element of NATO’s deterrent posture that the Allies had agreed were needed to respond effectively “to changes in the posture and doctrine of potential adversaries” [i.e. Russia], and Russia’s “significant investments to modernize and expand capabilities”;¹⁶ and
- For the first time, Allies stated that, “NATO’s nuclear deterrence posture *relies on* (emphasis added) United States’ nuclear weapons forward-deployed in Europe and the capabilities and infrastructure provided by Allies concerned” [i.e. by those Allies choosing to allow the US-provided B61 nuclear bombs to be stationed on their soil].¹⁷

As a first principle, NATO’s nuclear deterrent capabilities are intended to deter the use of nuclear weapons by a potential adversary against any NATO Ally or Allies. Consistent with past Summit Communiqué language, the Brussels Summit Declaration reiterates that

11 Ibid.

12 Ibid., Paragraphs 44–45.

13 Deterrence and Defense Posture Review, May 2012, NATO Website.

14 US Extended Deterrence is considered a “*Positive*” Security Assurance. The United States, together with the UK, France, Russia and China, have each adopted a so-called “*Negative* Security Assurance” (NSA) under which they pledge not to be the first to use nuclear weapons in a conflict if the adversary is a *non-nuclear* weapon state that is in compliance with its obligations under the NPT. These NSA were formally codified in a UN Security Council Resolution in 1995 as part of their successful campaign to attain the indefinite and unamended extension of the NPT and subsequently embraced in essentially the same formulation by successive US administrations, including that of President Trump. The NSA pledge does not apply to nuclear-armed states, to non-nuclear states that refuse to accede to the NPT, or to non-nuclear states violating the NPT by trying to develop nuclear weapons.

15 “Full range” should be read to include nuclear weapons.

16 Then Secretary of Defense Ash Carter in remarks several weeks after the Warsaw Summit described the nuclear adaptations that Allies had agreed on there (which were later reaffirmed at the Brussels Summit) in the following terms: “We’re refreshing NATO’s nuclear playbook to better integrate conventional and nuclear deterrence to ensure we plan and train like we’d fight and to deter Russia from thinking it can benefit from nuclear weapons use in a conflict with NATO, from trying to ‘escalate to de-escalate’, as some there call it”. ‘Remarks by Secretary Carter to Troops at Minot Air Force Base, North Dakota’, DoD Press Release, September 26, 2016.

17 Brussels Summit Declaration, op. cit. 7, Paragraph 35. In Paragraph 53 of its 2016 Warsaw Summit Communiqué, NATO had said that NATO’s nuclear deterrence posture also “*relies in part*” on the forward-based NSNF systems and infrastructure. The Brussels Declaration dropped the qualifier “in part”.

“the strategic forces of the Alliance, particularly those of the United States, are the *supreme guarantee* of the security of the Alliance” (emphasis added).¹⁸ The Declaration also repeats text from the Warsaw Communiqué (language that the UK pressed hard to achieve in light of domestic debate over its Trident modernization plans), pointing out that “The independent strategic nuclear forces of the United Kingdom and France have a deterrent role of their own and contribute significantly to the overall security of the Alliance” since they constitute “separate centers of decision-making” that would in a nuclear crisis “complicate the calculations of potential adversaries”.¹⁹ As noted, the Brussels Summit also made it clear that NATO’s own DCA capabilities play an indispensable role in deterring a potential adversary’s use of nuclear weapons against the Alliance.

The possibility that any use of nuclear weapons against a NATO Ally or Allies by a potential aggressor might provoke a nuclear counter-strike by the United States using its strategic forces, by the UK or France using their independent strategic forces, or by NATO collectively using the forward-deployed B61 bomb strike capability is intended to assure *each and every Ally* that such threats to its security and territorial integrity is effectively deterred.²⁰ And as noted above, in extremis NATO’s nuclear policy does not rule out the possibility of its “first use” of nuclear weapons.²¹ As such, the Alliance’s nuclear capabilities robustly complement and reinforce the two other “legs” of the NATO deterrence “triad”, its conventional and missile defense capabilities – capabilities that have also been substantially bolstered since 2014 as a result of Russia’s aggressive actions.

MEMBER STATES’ PARTICIPATION IN NATO’S NUCLEAR DIMENSION: WHAT IS REQUIRED AND WHAT IS NOT?

Beyond joining the policy consensus on the nuclear-related underpinnings of deterrence, no NATO Ally is required to participate *directly* in nuclear roles, although all are encouraged to be engaged to the extent that their domestic consensus allows. As France has demonstrated, an Ally can decide not to participate in NATO’s Nuclear Planning Group (NPG) – the senior-most decision-making Alliance body that establishes and oversees nuclear matters.²² Even though, as noted, the past two NATO Summit Communiqués have made reference to the “deterrent role of [its] own” represented by the independent French strategic nuclear force and cited its significant contribution to “the overall security of the Alliance”, France has always viewed its “force de frappe” as a capability that would only be engaged as a last resort if the security of France itself were threatened. When President Nicolas Sarkozy decided in 2009 to reverse General de Gaulle’s 1966 decision to leave the NATO integrated military command, he made an exception on nuclear matters by electing not to rejoin the NPG.

As Denmark and Norway, among others, have demonstrated, no Ally need agree to base US-provided NATO nuclear bombs on its soil or allow any nuclear-armed aircraft to enter or transit its airspace. Indeed, less than one-third of NATO members participate in the DCA mission by allowing B61 nuclear bombs to be stored and maintained at airbases within their territory.

In the context of the Alliance’s first post-Cold War enlargement round in 1999, NATO assured Russia that no US nuclear weapons would be stationed on the soil of “new” members, a sub-group that includes Poland, the Czech Republic, Hungary, Slovakia, Slovenia, Lithuania, Latvia, Estonia, Bulgaria, Romania, Croatia, Albania and Montenegro. In addition, none of these 13 Allies, as well as several others, provide Dual-Capable (i.e. conventional and nuclear) Aircraft (DCA) strike aircraft to deliver, if deemed necessary and approved unanimously by the North Atlantic Council (NAC) or the NPG, US-provided nuclear bombs in a NATO

18 Ibid., Paragraphs 35–36.

19 Ibid., Paragraph 35.

20 In a speech in Tallinn on September 3, 2014 – only months after Russia’s illegal annexation of Crimea and its military intervention in eastern Ukraine – President Obama said: “We will defend our NATO Allies, and that means every Ally. In this Alliance, there are no old members or new members, no junior partners or senior partners – there are just Allies, pure and simple. And we will defend the territorial integrity of every single Ally. ... Because the defense of Tallinn and Riga and Vilnius is just as important as the defense of Berlin and Paris and London”. White House Press Release, Office of the Press Secretary, September 3, 2014.

21 In his January 11, 2017 speech (op. cit.12), Biden revealed that President Obama and he had come to “strongly believe” that the United States had made enough progress in enhancing its non-nuclear capabilities and that “detering – and if necessary, retaliating against – a nuclear attack should be the *sole purpose* of the US nuclear arsenal”. However, in the face of strong dissent from his senior national security advisors, he did not formally direct the abandonment of the “first use” doctrine, leaving the matter for incoming President Trump to decide. In its NPR, the Trump Administration declared that, “To help preserve deterrence and the assurance of allies and partners, the United States has never adopted a ‘no first use’ policy and, given the contemporary threat environment, such a policy is not justified today”. (page 22)

22 Currently, all NATO Allies except France participate in the NPG.

Article 5 collective defense conflict.²³ The DCA-providing nations are limited to the United States, Belgium, Germany, the Netherlands, Italy, Turkey and Greece. Although the UK provided such nuclear assets for several decades, at present its commitment to the NATO nuclear role is constituted by an allocation of a certain number of warheads carried by its Trident D5 SLBM force. France has nuclear delivery-capable fighter aircraft, but they are not assigned to NATO's DCA mission. Beyond the strike aircraft themselves, the Alliance encourages allies to participate indirectly in supporting such notional nuclear crisis operations by contributing other assets that would be needed to ensure the NATO strike formation could penetrate an adversary's air defenses, such as air refueling tankers, combat air patrol covering fighters, or suppression of enemy air defenses (SEAD) precision-strike fighters. However, no Ally need provide such assets, although many do.²⁴

In terms of the command structure for nuclear operations, no Ally is required to provide staff officers to man nuclear-related "billets" in those parts of the Alliance's NATO Command Structure (NCS) that would, if authorized by the NAC or NPG, plan such a strike or direct its execution in wartime. Every Ally is, however, obliged to pay its allocated budget share (or "dues") of NATO's three "common-funded budgets" (the Military Budget, Civil Budget, and NATO Security Infrastructure Program (NSIP) budget).

In the 1980s, Denmark informed NATO that it would not contribute any resources, including funding, to support the deployment of NATO-commanded nuclear Ground-Launched Cruise Missiles (GLCMs) and Pershing II (PII) ballistic missiles as part of the Alliance's "double track" response to the Soviet Union's deployment of the SS-20. Accordingly, Denmark withheld its "share" of those parts of the Military and NSIP budgets that it associated with these deployments and "footnoted" all NATO official documents to demonstrate its non-participation in this nuclear program. However, a "work-around" was devised by which all other Allies "picked up" the Danish "share" of the overall GLCM and PII-related costs and in return Denmark paid that same amount to other parts

of the common-funded budgets, thereby effectively cancelling out any deficit. This subterfuge has never been, and should never be, repeated, and even the Danes themselves refer to this episode, known as the "footnote" era of Danish foreign policy, with some embarrassment.

Lastly, every NATO Ally reserves the right to try to ensure the NATO consensus on its ADN policies – namely the context within which they accept NATO's nuclear posture – is as forward-leaning as that Ally deems appropriate. Debates in the NAC and in the drafting sessions for Ministerial and Summit declarations on these issues are often protracted and even contentious. Indeed, for many NATO Allies with large domestic constituencies strongly supportive of ADN (such as the Netherlands and Belgium, among others), maintaining such a balance is a *sine qua non* for their being able to continue to endorse the Alliance's nuclear deterrent posture and policies. Every member state also reserves the right to seek to influence the consensus positions reached in NATO with regard to relations with Russia and promoting greater strategic stability in general.

TRUMP ADMINISTRATION NUCLEAR POLICIES: WHERE IS THERE CONSISTENCY AND WHERE IS THERE CHANGE?

Formal, inter-agency negotiated and presidentially-approved articulations of the Trump Administration's nuclear policies can be found in its February 2018 Nuclear Posture Review (NPR) and its December 2017 National Security Strategy (NSS).²⁵ While there is a perhaps surprisingly high degree of continuity in these two documents with the NPRs and NSS reports released by its predecessor administrations,²⁶ four aspects of the Trump NPR and NSS report warrant special attention:

- The Trump Administration's policy vis-à-vis the NPT,

23 The Brussels Summit Declaration states in Paragraph 35 that "National contributions of dual-capable aircraft to NATO's nuclear deterrence mission remain central to this effort. Supporting contributions by Allies concerned to ensure the broadest possible participation in the agreed nuclear burden-sharing arrangement further enhance this mission". However, this appeal is hortatory and not mandatory or binding.

24 This DCA supporting mission is known in NATO by the unusual acronym SNOW-CAT (Support for Nuclear Operations with Conventional Air Tactics).

25 Nuclear Posture Review, with Preface by Secretary Jim Mattis, February 2018; and National Security Strategy of the United States of America, December 2017. For a comprehensive assessment of the NPR, its elements of continuity, and the changes it proposes that will have an impact on the US contribution to NATO's nuclear deterrent posture and hence on the Alliance's management of these issues, see: Durkalec 2018.

26 In an online critique, a former NATO Supreme Allied Commander, Europe (SACEUR), Admiral James Stavridis, wrote that the Trump NSS was "pleasantly centrist" and "essentially a well-written amalgam of mainstream foreign policy principles that could easily have emerged from a Hillary Clinton White House". Bloomberg Opinion Online, December 10, 2017.

- Its plan of action for nuclear weapon modernization and sustainability,
- Its policy on nuclear weapon use, and
- Its policy on nuclear arms control.

On the NPT: Despite some early comments by then candidate Trump that nuclear proliferation to Pacific or Middle East states might actually be good, there has since his inauguration obviously been a very strong effort by his Administration to ensure that at least two current or former non-Nuclear Weapon States (NWS), Iran and North Korea, comply with the provisions of the NPT. The 2018 NPR describes the NPT as “the cornerstone” of the nuclear non-proliferation regime and pledges that the US “will work to strengthen it” while “we continue to abide by our obligations under it”.

On the Nuclear Weapons Inventory: Here too, a careful examination of the Trump Administration’s NPR suggests that there is more continuity than change. Its plan for Triad and B61 bomb modernization is essentially the same as the Obama program.²⁷ By committing itself to spend approximately \$1.2 trillion over the next 30 years to modernize the US strategic nuclear “Triad” of intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers and the long-range nuclear-tipped Air-Launched Cruise Missiles (ALCMs) they carry, as well as billions more for the B61 modernization program, the Trump Administration’s NPR makes it clear that it is intent upon backing up its Extended Deterrence commitment with the necessary programmatic actions, no matter how costly.

Where the Trump NPR mainly differs from the Obama plan is with regard to new systems to counter Russia’s deployment of a nuclear ground-launched cruise missile (GLCM) that violates the INF Treaty.²⁸ The Trump Administration intends to develop and deploy two new US intermediate-range nuclear weapon options: first, to modify a small number of existing SLBM warheads to provide a lower yield option than currently exists, and, second, in the longer term to begin advanced R&D on a modern nuclear SLCM. Congress has been clear in pressing, first with the Obama

Administration and now with Trump, for countervailing efforts to persuade Russia to acknowledge and resolve its non-compliance. Although the Obama Administration had conducted an Analysis of Alternatives (AoA) on INF violation response options while continuing seniormost-level efforts in diplomatic channels to persuade Russia to resolve its non-compliance, the Trump Administration has taken the concrete decision to proceed with development and, if necessary, deployment of the two alternatives outlined above. A third option examined in the AoA – a US nuclear-armed GLCM of INF range (a system whose testing or deployment is not allowed under the Treaty) – will remain in a preliminary, treaty-compliant R&D stage (“reviewing military concepts and options”) for now while the Administration continues to try to persuade Russia to return to compliance.²⁹

Some have expressed concern that these two INF violation response programs will lower the nuclear threshold or that they will unnecessarily alarm US NATO Allies.³⁰ However, any decision by the NAC or the NPG to authorize the “first use” of nuclear weapons in a conflict with Russia would be momentous and require unanimity. It is hard to believe that such a decision would be any ‘easier’ for all 29 NATO member states to agree if the explosive power of the nuclear weapon being considered for delivery were ‘only’, say, 10 kilotons (kt) as opposed to, say, 20 kt. It is also important to recall that in 1979 it was the Europeans, not the Americans, who, led by Chancellor Helmut Schmidt, insisted that reassurance in the face of the threat against high-value targets in Europe posed by the Soviets’ deployment of the SS-20 was only possible if *new* US nuclear systems were deployed, and that they needed to be physically present on European soil. Neither of the two Trump options proposed to counter the Russian 9M729 nuclear-capable GLCM requires stationing on European soil, and in that sense this is not a parallel to the “double track” cruise and ballistic missile program of the 1980s.

Policy on nuclear use: In its NPR, the Trump Administration renewed the US commitment to the policy of “Extended Deterrence” and did so in a formulation essentially unchanged from the pledges articulated

27 For an overview of the Obama Administration’s final plans for nuclear modernization and sustainability, see: ‘Remarks by Secretary Carter to Troops at Minot Air Force Base, North Dakota’, *op. cit.* 16.

28 See ‘Russian General Reveals INF Violation’, Bill Gertz, *The Washington Times*, November 15, 2017. The United States announced in July 2014 that Russia had violated its INF obligations by developing a GLCM with a prohibited range, a system – labelled the 9M729 – that it asserts has subsequently been operationally deployed.

29 NSS, *op. cit.* 34, p. 10.

30 ‘Trump’s Nuclear Posture Review Shows Greater Willingness to Use Nukes, Say Critics’, CNBC online, Jeff Daniels citing criticisms by the Union of Concerned Scientists and the Arms Control Association, February 2, 2018.

by the past several US administrations.³¹ The Trump Administration's earmarking of these vast sums (estimated at about 6% of the total US defense budget for these years) to maintain and enhance NATO's nuclear deterrence has been paralleled by substantial budgetary increases in US spending on forward-based conventional defense in Europe, including a near doubling of funding for the Obama Administration's Enhanced Readiness Initiative (ERI) and continued large investments in completing NATO's Ballistic Missile Defense (BMD) architecture in Europe.

Nonetheless, various statements by President Trump since taking office in January 2017 questioning NATO's continued relevance, his frequent attacks on so-called 'free-riding' allies, his widely criticized comments exonerating Russia's malign actions and policies at a press conference with President Putin following their Summit in Helsinki on July 16, and his post-Summit ambivalence in public comments concerning the Article 5 security commitment to NATO's newest member, Montenegro, have caused concern in many quarters that he differentiates between those 'good' allies still protected by US pledges under Article 5 and those 'bad' allies who may, in his view, be on their own.

These concerns have led many European leaders – from Angela Merkel to Emmanuel Macron to Donald Tusk to Jean-Claude Juncker to Olaf Scholz – to recommend that the European Union (EU) step up its efforts to strengthen its Common Security and Defense Policy (CSDP) in order to achieve more strategic autonomy from the United States. None of these leaders, however, has suggested that the EU is now, or could soon be, in a position of such military strength that it could substitute for NATO in deterring or defending against aggression against Europe.

Concerns have also been raised in some quarters about the Trump Administration's NPR positing a nuclear response as a possible option in the case of devastating cyber attacks. It should be recognized, however, that NATO Heads of State and Government agreed in their Warsaw Summit Communiqué in 2016 that a cyber attack "could be as harmful to modern societies as a conventional attack" and hence so destructive that it could rise to the level of triggering Article 5 of the

NATO Treaty.³² As previously noted, NATO leaders also agreed at Warsaw, and again at Brussels, that nuclear "first use" might be necessary in any *conventional* scenario in which the "fundamental security" of an Ally was threatened. If an adversary's cyber attacks can wreak catastrophic damage on a national scale such that the fundamental security of an Ally was at risk, then it follows that such an attack – even though non-nuclear and technically not "conventional" – should not be exempt from this key pillar of NATO's deterrence policy.

Nuclear Arms Control Policy: Lastly, there is the issue of the Trump Administration's negative, or at best laissez-faire, positions on various arms control topics. The 2018 NPR categorically rejects any effort on its part to secure the US Senate's advice and consent to the CTB³³ – a goal that the Clinton Administration sought but failed to achieve in 1999, and one which President Obama (and all NATO Allies) steadfastly supported throughout the eight years of his presidency. To be sure, the Trump Administration's NPR states that the long-standing US unilateral moratorium on nuclear testing will be observed and the US will pay its required share towards the important work of the Comprehensive Test Ban Preparatory Organization and its international seismic monitoring system. But some in the Administration are apparently convinced that the United States can no longer sustain confidence in the nuclear stockpile in the absence of actual testing and do not want to be locked in by a treaty prohibiting it. Given the implications of this position for the engagement with North Korea and Iran on ensuring their compliance with the restrictions and prohibitions of the NPT, including holding both countries to an absolute "no nuclear testing" norm, it would appear counter-productive at least.

There is also the question of the Trump Administration's position on further US efforts to reduce strategic offensive arms. On the positive side of the ledger, the 2018 NPR notes that with mutual agreement, New START can be extended for up to five years, to 2026, and states that the US "remains receptive to future arms control negotiations", but that this is conditioned upon whether "conditions permit and the potential outcome improves the security of the United States and

31 The NPR states: "The United States has extended nuclear deterrence commitments that assure European, Asian, and Pacific allies. The United States will ensure the credibility and effectiveness of its commitments". (page 22).

32 Warsaw Summit Communiqué, issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Warsaw 8–9 July 2016. NATO Press Release (2016) 100, July 9, 2016, Paragraph 70.

33 Ibid, p. 72.

its allies and partners”.³⁴ In a similar vein, the 2017 NSS report also states that the United States “stands ready” to “consider” such further arrangements, but it too seems to set the bar for doing so quite high. The NSS states that the United States will only pursue these objectives “from a position of strength”, which it defines in terms of what it calls “overmatch” – “the combination of capabilities in sufficient scale to prevent enemy success and to ensure that America’s sons and daughters will never be in a fair fight”.³⁵

If these qualifiers translate into inaction on further strategic arms reduction efforts, it could create major problems not just for NATO allies which have strong anti-nuclear domestic constituencies, but also for similar NATO Partners. For such nations, any appearance of back-sliding on the ADN can significantly complicate maintaining government positions in line with the consensus of other, more hawkish, nations within the Alliance on nuclear posture and policy issues. Anti-nuclear domestic constituencies look to many outside sources for reinforcement of their views, and at present they have a wide range of initiatives with which to align, including:

- The Treaty on the Prohibition of Nuclear Weapons (or Nuclear Ban Treaty [NBT]), negotiated under the auspices of the UN General Assembly and approved by 123 nations and opened for signature last September.³⁶ Although the NBT was opposed by the United States, under both the Obama and Trump Administrations, and all of the other 8 NWS plus Iran and all of the other 26 NATO Allies (with 16 nations, including Finland, abstaining), it has no ‘conditionality’ requiring accession by any NWS or any enforcement mechanisms on non-acceding states, but will enter into force 90 days after 50 states deposit their instruments of ratification. The NBT bans the development, testing, production, possession, transfer or use of nuclear weapons, and prohibits any acceding state from assisting, encouraging or inducing in any way nuclear weapon-related activities, including agreeing to the stationing of such weapons on their soil. As such, the NBT is totally inconsistent with NATO’s nuclear policies and posture, and it has, for this reason, been very strongly opposed by the

Obama and Trump Administrations, and by NATO collectively.³⁷

- Second, and fully aligned with and supportive of the NBT, is the Non-Governmental Organization known as ICAN, the International Campaign to Abolish Nuclear Weapons, which was awarded the 2017 Nobel Peace Prize. ICAN, many of whose staff and members are veterans of another NGO’s successful campaign in the 1990s to pressure nations to ban the possession or use of anti-personnel landmines,³⁸ is convinced that even though all 9 NWS boycotted the negotiations and have no intention of acceding to it, over time global transnational moral suasion will bring them around one by one.
- Last but not least, the Pope is presently setting nuclear weapons abolishment as one of the Vatican’s highest priorities. In November 2017, he convened a landmark Vatican conference on the ‘Perspectives for a World Free from Nuclear Weapons and for Integral Disarmament’. In his address to the Conference, which included several Nobel Peace Prize laureates, representatives of the NWS and non-NWS, NGOs, and NATO, the Pope commended the success of “a significant alliance between civil society, states, international organizations, churches, academies and groups of experts” in achieving the NBT, and urged the world not to be discouraged by a “certain pessimism” that he said might lead one to conclude that “prospects for a world free from nuclear arms and for integral disarmament appear “increasingly remote”.³⁹

These three nuclear disarmament initiatives, no matter how sincere and firmly embraced by their supporters, are not going to change the world today or tomorrow, or lead any NWS anytime soon to renounce its nuclear arsenal. But they will make maintaining solidarity

34 NPR, op. cit. 34, p. 73.

35 NSS, op. cit. 14, pp. 25, 28 & 32.

36 Treaty on the Prohibition of Nuclear Weapons, United Nations General Assembly A/CONF.229/2017/8, July 7, 2017.

37 The Trump Administration’s NPR states that the Treaty “is fueled by wholly unrealistic expectations of the elimination of nuclear arsenals without the prerequisite transformation of the international security environment. This effort has polarized the international community and seeks to inject disarmament issues into non-proliferation fora, potentially damaging the non-proliferation regime. This Treaty could damage U.S. security and the security of many allies and partners who rely on U.S. extended deterrence. The terms of the Nuclear Weapons Ban Treaty could also undermine ongoing and prospective military cooperation between the United States and signatory states, cooperation that is critical to the maintenance of credible extended nuclear deterrence”. NPR, op. cit. 34, p. 72. At their Brussels Summit, NATO leaders agreed that the Treaty “is at odds with the existing non-proliferation and disarmament architecture, risks undermining the NPT, is inconsistent with the Alliance’s nuclear deterrence policy and will not enhance any country’s security”. Brussels Declaration, op. cit. 7, Paragraph 44.

38 In 1997, the International Campaign to Ban Landmines (ICBL) was awarded the Nobel Peace Prize.

39 ‘Pope to Disarmament Conference: World without Nuclear Weapons not Impossible’, Vatican News online, November 10, 2017.

with many allies and partners on nuclear deterrence far more difficult in the months and years ahead. At the extreme, the NPT regime itself could be at risk, as President Trump's NPR and the 2018 NATO Brussels Summit Declaration make clear.

Notwithstanding the more sensible balance between nuclear weapon modernization and arms control that has been struck in the 2018 NPR and the 2017 NSS report, there had been a long record of strong criticisms by Trump of past and current nuclear treaties before he became president. In a similar vein, the 2016 Republican Party Platform, on which then candidate Trump campaigned, sharply criticized the New START as unverifiable and unequal, calling for it to be abandoned and for the policy of MAD to be ended.

Hence the question had remained open as to how the president himself, or his current National Security Adviser for that matter, Ambassador John Bolton (appointed in April), whose past sharp criticisms of the New START are well-documented, would approach these issues at the July 16 Helsinki Summit, where to their credit President Trump and President Putin engaged in discussions on arms control and strategic stability matters. No joint statement was negotiated there, and no 'on the record' de-briefing has been given by the US National Security Advisor or any other senior official, but on August 17 an unnamed US 'administration official' told journalists that although New START and INF (which Russia without justification accuses the United States of violating as well) were indeed discussed, "the two leaders did not agree on a way forward".⁴⁰ For their part, according to post-summit public comments by several Russian government officials, from Putin on down, the two sides agreed to engage in follow-up talks with the objectives, inter alia, of extending the New START and resolving differences over the INF Treaty.⁴¹

To continue whatever dialogue actually transpired between the two presidents at Helsinki, Bolton met with his Russian counterpart, Nikolai Patrushev, in Geneva on August 22. Afterwards, he stressed in a briefing to media that the Administration was "very, very early in the process of considering" what to do

with regard to New START or other strategic arms control efforts, noting three options under review: extend New START, scrap it and return to the 2002 Strategic Offensive Reductions Treaty (SORT), or re-negotiate New START and replace it with a new strategic arms reduction accord.

During a September 18 hearing held by the Senate Foreign Relations Committee, Democratic Senators pressed senior representatives of the State Department and the Department of Defense (DoD) to assure the Committee that the Administration did not intend to "walk away" from the New START.⁴² However, the DoD witness, Deputy Under Secretary of Policy David Trachtenberg, would go no further than to state that, "we are taking a deliberate approach to our assessment of all these treaties", and that there would be no "rush to judgement".

CONCLUSION

To the credit of the Trump Administration, there is a perhaps surprisingly high degree of continuity on nuclear issues in the National Security Strategy report and the Nuclear Posture Report it has released in the last year with the counterpart reports presented by preceding administrations. The two reports maintain the US position viewing the NPT as the "cornerstone" of US non-proliferation policy, present plans and budgets for US nuclear weapon modernization and sustainability generally consistent with those of Barack Obama, and codify policies on nuclear weapon use essentially unchanged from the administration of Bill Clinton.

It is, however, its unambitious if not neutral policy on nuclear arms control that raises the principal concern in terms of effective Alliance management of nuclear issues. Despite expectations at the time that the July 16 Summit in Helsinki between Presidents Trump and Putin might well lead to progress on New START and INF, their two-hour private discussions would now appear, several months after the fact, to have proven ultimately inconclusive, Russian claims to the contrary notwithstanding, and the US National Security Council-led inter-agency still faces the challenge of forging a Trump Administration consensus position on these complex issues.

40 'Bolton to Discuss Arms Control, Syria in Talks with Russian Counterpoint', Reuters, August 17, 2018.

41 'What Helsinki Agreements? This is not Normal', article by Steven Pifer, Brookings Institution online, July 19, 2018. Ambassador Pifer cites Putin as describing the Summit as "successful overall" and saying it led to "useful agreements", Foreign Minister Lavrov describing the outcome as "fabulous - better than super", Russian Ambassador to the United States Antonov as claiming there had been "verbal agreements" on extending New START and resolving INF, and the Russian MoD spokesman as stating that Russia was now "ready for practical implementation of the agreements in the sphere of international security reached by the Russian and U.S. Presidents," including on New START.

42 'US Officials Express Doubts on Future of Nuke Pact with Russia', Voice of America Online, September 18, 2018.

As the Administration endeavors to complete this process, it is crucial that both parties show good faith. For its part, Russia must abandon the intransigent position it has taken for the past several years on its violation of the INF Treaty, as no US Senate could be expected to approve implementation of any new agreements while this illegal deployment remains fielded. For its part, the first steps taken by the two presidents to re-activate the US/Russian strategic partnership in this domain must not be allowed by the Trump Administration to stall or fail.

Allies recognize that the United States' willingness over several decades and across many administrations to reinforce their security by maintaining the policy of extended nuclear deterrence entails substantial financial costs and entails clear political risks for America, and thus their incentive to reach consensus on these matters is very high. But any democratic government is ultimately accountable to the views of its people on all matters, foreign and domestic.

To best ensure NATO cohesion and solidarity is maintained, the United States needs to stay in the nuclear arms control game proactively and lead global efforts with a genuine sense of urgency and priority. The essentially passive position taken in the Trump Administration's NSS report and the NPR – that it stands ready to consider such further arrangements, but only if the international security environment improves – simply looks too much like 'leading from behind', to use a phrase. Instead, the United States needs again to be the *demandeur* for further strategic nuclear reductions with Russia. America can, of course, go it alone. But as the 2017 NSS itself notes, "Allies and partners magnify our power", and Russia's recent intentions "are not necessarily fixed".⁴³

43 NSS, op. cit. 14, pp. 4 & 25.

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