



The P5 Process and the Future of Arms Control

Remarks Delivered by Noah Mayhew at “NPT Success in the ‘P5 Process’”

Good afternoon. In preparing for this panel, I was asked to address three questions: (1) How will the evolution of arms control post-2020 affect the NPT regime broadly, and the P5 process specifically; (2) What changes to the geopolitical environment do I see having the greatest impact on the arms control priorities of the United States; and (3) Should Russia and the US extend New START. I’ll answer them in reverse order.

New START

Of course Russia and the US should extend New START. The Treaty is currently set to expire on February 5, 2021, at which time the next US president will have been inaugurated. That new president may well be Donald Trump, whose administration does not seem inclined towards New START extension, or the survival of any other international arms control mechanism for that matter. If the new president is not Donald Trump, he or she will have two weeks to extend New START. This could be done by an exchange of letters, without having to pass through the US Congress. Russian Deputy Foreign Minister Sergei Ryabkov has pointed out that, for Russia, this process will have to go through the Federal Assembly, and as such, this process cannot wait until one minute to midnight. This process should already have started.

There is no reason, none, not to extend this Treaty. It offers the all-important element of predictability vis-à-vis each other’s strategic intentions with nuclear weapons. When neither the US nor Russia can agree that “a nuclear war cannot be won and must never be fought,” predictability is something we can’t afford to sacrifice. The verification provisions that would be preserved by extending the Treaty would be the *only* relic left of the golden age of arms control. Moreover, the negotiation of a follow-on Treaty – which might well include some of the weapons systems that the US is so concerned about – will be more difficult when building from nothing. Bottom line, extending New START is in everyone’s interest, but perhaps even more so in the interest of the United States, given its stated concerns over new Russian strategic weapons.

Geopolitical Factors on US Arms Control Priorities

As for changes in the geopolitical environment that impact US thinking on arms control, I am most concerned at this time about the fate of the JCPOA, US perceptions about Chinese strength in the nuclear realm and US-Russian relations.

The JCPOA

The US decision not to renew sanctions waivers related to the JCPOA was a mistake. The basis for this decision was essentially that the deal did not do enough to limit Iranian offensive capabilities that were not covered by the JCPOA and that were not *meant* to be covered by the

JCPOA. This is the thinking that killed the Agreed Framework with the DPRK – let's reflect on where that got us.

Since then, Iran has incrementally reduced the “operational restrictions” placed on it by the JCPOA related to enrichment capacity, percentage of enrichment, amount of enriched material and R&D activities. On January 14 of this year, France, Germany and the United Kingdom triggered the JCPOA's provision for a Joint Resolution Mechanism, which provides a roughly 65-day period during which issues can be resolved. The Commission is scheduled to begin its work this month. If it does not reach agreement, the JCPOA could be the next arms control mechanism to perish. What is more troubling is that there does not seem to be consensus within the Commission about what the goals of the exercise are. While Germany and France have expressed hope that the Mechanism will result in Iran's return to the JCPOA, the UK has expressed support for President Trump's preference towards a broader-reaching JCPOA replacement.

How will this affect US thinking about arms control? First, Iran has threatened the prospect of leaving the NPT if it is reported to the UN Security Council for non-compliance – one of the ways that this could go. By that point, the demise of the JCPOA will be a forgone conclusion. In a scenario where there is no JCPOA, but there is the threat of an Iranian NPT withdrawal, it is not hard to imagine that the already very low priorities of the US in arms control could become non-existent. “They won't play ball, so why should we?”

The Rise of China

The “Rise of China” has become a very popular topic in American nuclear policy circles. Growing Chinese strength in both the conventional and the nuclear realm was cited as a primary reason that the US abrogated the INF Treaty. Chinese participation has been further rumoured as a precondition to a follow-on agreement to New START. I believe that this is a smokescreen.

I believe that the reason China has expressed no interest in joining a trilateral INF Treaty or a trilateral START-style treaty is because it is not in China's interest. The levels of transparency required by these treaties is more than China is prepared to invest right now. Moreover, the disparity between the numbers in the US and Russian arsenals versus the Chinese arsenal are pronounced. START-style limitations, which are based on relative parity in numbers, don't make much sense when the US and Russia continue to maintain numbers much higher. China also faces a different geopolitical reality that makes limiting short and medium range missiles more difficult.

The bottom line is that, while Washington insists on China's involvement in binding, transparent arms control agreements that are not in its interest and China remains reluctant, I only see the already unsavoury stance that the US has taken on arms control agreements worsening.

I should note that China has been very active in the P5 process as of late – a sign of leadership that we need as the US and Russia seem too busy bickering with one another about who violated which term of what arms control agreement.

US-Russian Relations

There is so much to say on US-Russian relations that we would need a separate panel. Suffice it to say that today's decidedly sour relationship between the two powers has a direct impact on arms control and the global non-proliferation regime. Cooperation now seems all but impossible due to vitriolic disagreements over anti-ballistic missile defence, compliance to arms control agreements, NATO expansion, conflict in Ukraine, the Syrian Civil War and, perhaps most notably, Russian interference in the 2016 US presidential elections.

Yet these two countries were the primary architects of the NPT. So much of the work on which the disarmament pillar has hinged is directly linked to arms reductions in these two countries. If the US and Russia are not able to reach a *détente*, particularly on election meddling and probably on Ukraine, arms control is in serious danger. In this case, I worry less about changes in the relationship between the US and Russia and more about things staying the same as right now. Because right now isn't working. Right now is not the interest of the United States, it is not in the interest of the Russian Federation and it certainly is not in the interest of the rest of the world. Moreover, right now has the distinct possibility of getting worse – something I don't think any of us cares to imagine.

Arms Control Post-2020, the NPT Regime and the P5 Process

If arms control continues to wither into atrophy for the reasons that I've outlined, the NPT is in no less danger, the P5 Process notwithstanding. For much of the history of the NPT, the US and Russia as the two countries with the largest nuclear arsenals were able to demonstrate *observable* progress under article VI of the NPT, including by way of arms control agreements. They also engaged in fissile material reductions, some successful and some not. But there was *observable* momentum. Arms control was sacrosanct in the face of other bilateral disagreements or conflict.

Largely as a result of the decay in US-Russian relations, the NNWSs became disillusioned with Article VI and the NWSs' dedication to it. Out of this disillusionment was born the Treaty on the Prohibition of Nuclear Weapons. I'll leave the Ban Treaty discussion to the next panel, but what it certainly is, is a manifestation of the legitimate frustration of the vast majority of States Parties to the NPT. I don't know that I believe that we are on the borderline of an NPT revolt by the NNWSs, but one State, Iran, has already threatened to withdraw. So it's not an unreasonable thing to worry about.

As far as the P5 process is concerned, I unfortunately leave it to China, France and the UK for the time being. Continue doing all that you can to keep the non-proliferation regime afloat. Be the mediators between the US and Russia, between the US and the rest of the E3+3, don't let the JCPOA die an untimely death, and do your best to be the model NWSs that the NPT needs right now. The P5 process has the potential to assure the NNWSs that the P5 are genuine in their commitment to article VI of the Treaty. It's what we *should* be doing, even as reductions in arsenals have stopped. Unfortunately, the US and Russia don't seem especially interested right now.

I don't believe the NPT is dead, and I don't believe that arms control is dead either. But, on the occasion of the NPT's 50th Anniversary, we are at a critical moment. If we the P5 show disregard for arms control and non-proliferation now, we endanger everything that the non-proliferation community has worked for over five decades. If we take it seriously, show that arms control, disarmament and non-proliferation really matter to us, in an *observable* fashion, then we've got a shot at another 50 years. And I think that's worth it.