

Unilateralism vs. Bilateralism and Multilateralism

I think that the question of unilateralism vs. negotiated arms control is implicitly present in every version of the topic. Leaving it unstated means, as Greta pointed out, that the most limiting reading of the wording will likely ensure a universal mandate for unilateral action. I have outlined what I think are the basics of this policy controversy, and included a section providing background for a topic wording that includes bilateral arms control with Russia.

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A. Name Russia or not?

When Ben and I wrote our first document about the topic, we decided that including new multilateral agreements was too much Affirmative ground. We did not specify a country for the part of the topic that allowed new bilateral agreements. Our initial wording (always intended to be a starting, rather than end-point) limited the countries in other ways. By requiring that the agreement reduce both states' deployed nuclear forces, we restricted the Aff to dealing with declared nuclear powers. Theoretically, that would mean the P-5, North Korea, India, Pakistan and possibly Israel. In practice, however, since the US would have to reduce in concert with only one of the countries in question, solvency evidence would limit viable Affs to potential nuclear adversary states. A CP to facilitate the other country reducing without US reductions would work unless there was a strong rationale for linking US reductions to the other states' reciprocal cut. There would also be a dearth of plan-specific solvency evidence for bilateral arms control with Israel, Britain, France, India and Pakistan. Theoretically, there might be some evidence for non-use commitments or extended deterrent extension to those countries (a positive security assurance) but requiring reductions in forces, would limit those cases out. Consequently, we thought our topic would confine debates to bilateral negotiations with Russia, China and North Korea.

Even the China option is a little questionable, since the only strong bilateral nuclear arms control literature there we were aware of is about a bilateral no first use agreement or NMD/TMD. China's arsenal is so small that it would not make sense for us to create a bilateral agreement with them unless it was a very deep cuts regime. If we cut so low that China could reasonably be asked to match us, then the bilateral US-China Aff would have big problems against a trilateral CP that included Russia. The fact that the plan alone would probably give Russia a larger arsenal than the US and China is also odd and problematic.

My personal opinion is that the Korean Peninsula arms control literature is fascinating and deeper than expected. Still, all resolution writers are fallible, and debaters are creative. If the TSC does not think that bilateral negotiations with North Korea are sufficiently important/interesting to justify the risk of a other less predictable, more contrived Affs, then naming Russia in the topic is a sensible limiting measure.

B. Background on US-Russian arms control and the SORT and START processes

SORT and START represent two politically opposed models of nuclear weapons reductions. SORT is an example of uses aggregate deployed warhead counts. But it doesn't specify detailed counting rules, require the elimination or destruction of warheads or delivery systems, or provide guidelines for what happens to the warheads after the treaty comes into force.

SORT Treaty Text

<http://www.armscontrol.org/documents/sort>

Each Party shall reduce and limit strategic nuclear warheads, as stated by the President of the United States of America on November 13, 2001 and as stated by the President of the Russian Federation on November 13, 2001 and December 13, 2001 respectively, so that by December 31, 2012 the aggregate number of such warheads does not exceed 1700-2200 for each Party. Each Party shall determine for itself the **composition and structure** of its strategic offensive arms, based on the established **aggregate limit** for the number of such warheads.

START is a different kettle of fish

- **It doesn't just limit nuclear explosive devices: it limits delivery systems as well**
- **START deals with the differing force structures of the US and Russian arsenals by establishing an agreed-upon set of 'counting rules' for warheads. Those rules effectively define a delivery system *as a warhead (nuclear weapon) for the purposes of the agreement***
- **This was done for very significant practical reasons, which could be come offensive negative arguments if the topic restricts the Aff's flexibility to explosives alone**

START II treaty text

<http://www.dod.mil/acq/acic/treaties/start2/text.htm>

1. Each Party shall reduce and limit its intercontinental ballistic missiles (ICBMs) and ICBM launchers, submarine-launched ballistic missiles (SLBMs) and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber armaments, so that seven years after entry into force of the START Treaty and thereafter, the aggregate number for each Party, as counted in accordance with Articles III and IV of this Treaty, does not exceed, for warheads attributed to **deployed ICBMs, deployed SLBMs, and deployed heavy bombers**, a number between 3800 and 4250 or such lower number as each Party shall decide for itself, but in no case shall such number exceed 4250.

2. Within the limitations provided for in paragraph 1 of this Article, the aggregate numbers for each Party shall not exceed: (a) 2160, for warheads attributed to deployed SLBMs; (b) 1200, for warheads attributed to deployed ICBMs of types to which more than one warhead is attributed; and (c) 650, for warheads attributed to deployed heavy ICBMs.

3. Upon fulfillment of the obligations provided for in paragraph 1 of this Article, each Party shall further reduce and limit its ICBMs and ICBM launchers, SLBMs and SLBM launchers, heavy bombers, ICBM warheads, SLBM warheads, and heavy bomber armaments, so that no later than January 1, 2003, and thereafter, the aggregate number for each Party, as counted in accordance with Articles III and IV of this Treaty, does not exceed, for warheads attributed to deployed ICBMs, deployed SLBMs, and deployed heavy bombers, a number between 3000 and 3500 or such lower number as each Party shall decide for itself, but in no case shall such number exceed 3500.

4. Within the limitations provided for in paragraph 3 of this Article, the aggregate numbers for each Party shall not exceed: (a) a number between 1700 and 1750, for warheads attributed to deployed SLBMs or such lower number as each Party shall decide for itself, but in no case shall such number exceed 1750; (b) zero, for warheads attributed to deployed ICBMs of types to which more than one warhead is attributed; and (c) zero, for warheads attributed to deployed heavy ICBMs. 3. Elimination of silo launchers of heavy ICBMs, including test launchers and training launchers, shall be implemented by means of either: (a) elimination in accordance with the procedures provided for in Section II of the Protocol on Procedures Governing the Conversion or Elimination of the Items Subject to the START Treaty; or (b) conversion to silo launchers of ICBMs other than heavy ICBMs in accordance with the procedures provided for in the Protocol on Procedures Governing Elimination of Heavy ICBMs and on Procedures Governing Conversion of Silo Launchers of Heavy ICBMs Relating to the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, hereinafter referred to as the Elimination and Conversion Protocol. No more than 90 silo launchers of heavy ICBMs may be so converted.

6. No later than January 1, 2003, each Party undertakes to have eliminated all of its deployed and non-deployed heavy ICBMs and their launch canisters in accordance with the procedures provided for in the Elimination and Conversion Protocol or by using such missiles for delivering objects into the upper atmosphere or space, and not to have such missiles or launch canisters thereafter. 3.

Notwithstanding the number of warheads attributed to a type of ICBM or SLBM in accordance with the START Treaty, each Party undertakes not to: (a) produce, flight-test, or deploy an ICBM or SLBM with a number of reentry vehicles greater than the number of warheads attributed to it under this Treaty; and (b) increase the number of warheads attributed to an ICBM or SLBM that has had the number of warheads attributed to it reduced in accordance with the provisions of this Article.

Example: Russians are more concerned with launchers than warheads. Both relations and break-out

impacts.

Arbatov and Gottemoeller 2008 Rose Gottemoeller formerly of Carnegie Endowment, currently the **Assistant Secretary of State for Verification and Compliance**

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http://www.armscontrol.org/act/2008_07-08/CoverStory

As far as counting operationally deployed warheads is concerned, Russia is not particularly worried about the United States storing warheads, as also has been the case with all past strategic arms control and reduction treaties. **Russia is most concerned about the number of launchers that remain in deployment and the number of warhead re-entry vehicles (RVs) that it would be possible to load on those launchers. Russian experts call this “upload potential.”** In START, this problem was addressed through a rule on downloading, according to which not more than two warhead RVs could be removed from a launcher without converting the MIRV dispensing platform, called the “bus,” to carry fewer RVs. Even then, the maximum number of warhead RVs that could be removed—and credited against START limits—was four.

Nuclear treaties currently regulate delivery systems as well as nuclear explosive devices— there is a long-range conventional strike DA to the existing START counting rules. This poses a dilemma for the TSC – if the Aff has to imitate START, it would have to debate two big disadvantages mentioned in e-mails from the Topic Paper authors:

1. Conventional Trident Good (it's also possible that a certain counting rules would actually impact the submarines, not just the missiles, which would create a separate Ohio-class good DA. That's a different issue because there are non-ballistic missile Ohios that launch cruise missiles and Special Operations Forces).
2. Bombers good. Depending on the size of the cuts, the Aff might have to cut into the US bomber force, or its dual-capable aircraft fleet (almost all the U.S. fighter-bomber aircraft are dual-capable). This is to say nothing of future long-range strike aircraft. The Air Force is moving towards "long range persistent strike" capabilities (e.g., a new, possibly unmanned, long-range bomber) for both counter-proliferation and counter-terror purposes.

On the other hand, there are problems with not including these systems:

1. It reduces the effectiveness of deep cuts, especially unilateral ones, because:
 - a) it implies the US is only cutting because of its overwhelming conventional strength, which cannot be matched by any other country and threatens some of them and
 - b) dual capable aircraft constitute a nascent break-out force that could easily be re-rolled into a nuclear strike force
2. The Russians might not be willing to accept a deep cut regime if there are no limits on the US bomber force. There are good cards that argue that at a certain point, US conventional strike capabilities will get so good that they can hold Russian and Chinese nuclear forces at risk. In such a world (arguably already extant), the Russians would have to count even conventionally-equipped stealth strike aircraft as the equivalent of an ICBM. This is one reason why a lot of arms control advocates still hate the B-2 bomber.

In my judgment this is an argument for giving the Affirmative maximum reasonable flexibility, not writing the word START into the topic, and using the term 'nuclear weapons.' This is especially significant since the shape and fate of the START regime is in flux (see "START Status Quo" below) **Sloss 1999** (Assistant Director of the U.S. Arms Control and Disarmament Agency from 1976 to 1978 and U.S. ambassador to the Seabed Treaty Negotiations, formerly Fellow of the Center for Strategic and International Studies in Washington and the International Institute for Strategic Studies)

Strategic Forum 89 Number 156, January 1999

<http://www.ndu.edu/inss/strforum/SF156/forum156.html>

2. Non-nuclear strategic forces—Some experts, particularly Betas, believe that there will be a continuing role for long-range bombers and missiles in non-nuclear missions. For example, technology will permit stand-off delivery of bombs and missiles with considerable precision, and the desire to avoid risk to friendly forces makes such tactics attractive. Advocates for preserving a role for long-range non-nuclear systems are concerned about the impact of strategic arms control agreements on that role. For example, numerical limits on bombers and cruise missiles, proposed in order to limit nuclear forces, also could limit non-nuclear systems unless those limits are carefully drawn. However, arms control provisions that provide a "loophole" for U.S. non-nuclear systems also provide similar opportunities for others. There are difficult tradeoffs.

(The provision on re-assigning nuclear capable bombers)

<http://www.dod.mil/acq/acic/treaties/start2/text.htm>

1. For the purposes of this Treaty, the number of warheads attributed to each deployed heavy bomber shall be equal to the number of nuclear weapons for which any heavy bomber of the same type or variant of a type is actually equipped, with the exception of heavy bombers reoriented to a conventional role as provided for in paragraph 7 of this Article. Each nuclear weapon for which a heavy bomber is actually equipped shall count as one warhead toward the limitations provided for in Article I of this Treaty. For the purpose of such counting, nuclear weapons include long-range nuclear air-launched cruise missiles (ALCMs), nuclear air-to-surface missiles with a range of less than 600 kilometers, and nuclear bombs.

2. For the purposes of this Treaty, the number of nuclear weapons for which a heavy bomber is actually equipped shall be the number specified for heavy bombers of that type and variant of a type in the Memorandum of Understanding on Warhead Attribution and Heavy Bomber Data Relating to the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, hereinafter referred to as the Memorandum on Attribution.

On the other hand, the Trident debate could go the other way (see 'START Status Quo' below)

C. A More General Aside - Politics of Arms Control; Unilateralists vs. Traditional Arms Control Doves

If we exclude the true arms control skeptics, the arms control community is broadly divided into two camps, and they disagree not only about how deeply to cut the arsenal, but what to do with the warheads and whether arms control has to be legalized, binding and accompanied by detailed verification measures.

These divisions in the policy advocacy community present the TSC with these conceptual options:

1. The Aff gets the option of unilateral arms control (favored by most of the neoconservative community, see Rumsfeld and Payne), and everything else, including both conditional negotiation generally and ‘verification and transparency good’ as negative CP ground
2. Negotiated international (bilateral or multilateral) arms control without detailed verification, rendering ‘verification and transparency good’ negative CP ground. This would put the Aff in the position of defending the Bush Administration’s START approach.

Arbatov and Gottemoeller 2008 Rose Gottemoeller is formerly of Carnegie Endowment, currently the Assistant Secretary of State for Verification and Compliance

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In another sense, this lack of progress at Sochi is a good outcome. The major difference between the two sides on the future of START remains the Bush administration’s insistence that verification and monitoring measures should be binding only politically; the agreement itself may be legally binding, but its accompanying monitoring regime would not be. [3] Moreover, the administration’s concept for monitoring evidently focuses on a number of transparency measures—visits to missile deployment sites, for example—without a rigorous definition of what activities would be permitted once such an on-site visit was underway.

3. The Aff could be forced to defend the most ‘dovish’ or pro-arms control (traditionally defined) position, which would force the Aff to defend negotiated reductions that are accompanied by verification and transparency measures. This would allow the Neg to unilateral CP, or to exclude the verification measures.

Sloss 1999

Strategic Forum 89 Number 156, January 1999

<http://www.ndu.edu/inss/strforum/SF156/forum156.html>

Two broad perspectives divide on several issues that constitute the heart of the current nuclear dialogue: 1. The size of the future stockpile While there are several variants, generally the Alphas [editor’s note: Sloss is referring to ‘doves’ who advocate deep cuts] advocate reductions in the total nuclear stockpile to a few hundred weapons over 10-15 years The Betas [editor’s note: these are more ‘hawkish’ but still pro-reduction advocates] would retain deployed strategic weapons at START III levels (i.e., 2,000-2,500 deployed weapons) for at least some time.¹

There is a significant difference between the two views on what to limit. The Alphas would attempt to reduce and limit total weapons, while acknowledging that verification and control would be extremely difficult. The Betas believe that, for the foreseeable future, limits on total inventories, while desirable, are probably not practical due to verification difficulties.

Furthermore, the Betas are more concerned about the dangers of de-militarizing large stocks of fissile material in Russia with limited accountability.

2. The importance of nuclear infrastructure Alphas believe that infrastructure should be reduced as the stockpile is reduced so as to leave no temptation or capability for rearmament. They see no requirement for production facilities or design capabilities for weapons the nation should not design or build. Betas place high priority on a robust infrastructure. The NDU/LLNL study talks about a total force posture that includes infrastructures. In this view the total posture becomes more important as forces are reduced. Infrastructure is seen as both an element of deterrence and as a necessary hedge for a very uncertain future. The view recognizes that maintaining hedges can lead to unwanted competition. It advocates discussions among nuclear states to develop mutual understandings as to what might be an appropriate hedge posture.²

3. How best to promote strategic stability The Alpha View is driven by the conviction that the United States and Russia must set an example by reducing their nuclear arms and de-legitimizing nuclear weapons to the extent possible. Alphas place emphasis on traditional arms control. In addition, they are strong supporters of less traditional measures, such as cooperative threat reduction and de-alerting of strategic forces. The Beta View is skeptical of traditional arms control as a means for enhancing strategic stability. It emphasizes the development of a strengthened strategic dialogue among nuclear states and the sharing of warning data with Russia. The Betas strongly oppose de-alerting, doubting that it solves any strategic problem and fearing reductions in the readiness of U.S. nuclear forces.

¹ Since SORT already goes below this number, it’s safe to say that the ‘floor’ is now the SORT level of 1,700-2,200

² Although it might seem arbitrary to include FMCT in the bilateral portion of the topic, this evidence establishes the logic of including it: it constitutes a check against a break-out of a deep-cuts regime. The deeper the cuts, the more important restricting the production capabilities of the states (smaller arsenal size makes each break-out weapon that much more significant).

Parallel unilateral reductions are neoconservative-style arms control designed to retain flexibility and abandon “Cold War style” reciprocal, binding limits on arms control. This is the intellectual approach that undergirded the Bush administration’s approach to SORT (see Bulletin of Atomic Scientists, below).

Limiting the Aff to this kind of reduction cedes ‘negotiation good’ to the negative as a competitive CP (the weapons the Aff cuts would be used as bargaining chips, and because the cuts would be conditioned). This would allow the negative to defend the traditional arguments of the pro-arms control community, while the Aff defends the unilateralist position of arms control skeptics, like the authors of this report (Payne, Bailey, Grey, etc.).

Payne et. al. 2001 National Institute for Public Policy “Rationale and Requirements for U.S. Nuclear Forces and Arms Control” <http://www.nipp.org/Adobe/volume%201%20complete.pdf>

For example, there simply is no basis for the frequently-repeated claim that 1,000 deployed strategic nuclear weapons can meet U.S. requirements now and in the future. Indeed, there can be no logical integrity in the confident assertion that any given force level, even if judged to be appropriate today, will continue to be so in the future, and therefore should be made “maximally verifiable and irreversible.”³⁴ The “irreversible” codification of deep nuclear reductions today involves an assumption for the present and a prediction of the future. Concerning the present, it assumes that U.S. strategic requirements can be met at relatively low strategic nuclear levels; concerning the future, it assumes that the factors lowering U.S. strategic requirements now will at least remain constant. Predicting the future in this manner can be based on little but wishful thinking, and policy derived from such an approach would be imprudent.

If the United States wishes to maintain an appropriately sized nuclear arsenal, it must be able to adapt that arsenal over time to dynamic strategic and foreign policy requirements. This adaptability in the post-Cold War period is absolutely critical because even the most basic of the factors driving U.S. requirements are subject to unprecedented change. Recent events in Serbia, for example, have demonstrated again that the political and strategic orientation of challengers can change dramatically in a matter of months. A restructured approach to arms control need not foreclose the prospect for parallel nuclear reductions, including deep reductions, if judged appropriate following a serious U.S. strategic review. Indeed, **moving toward strategic arms control that emphasizes the coordination of reductions rather than their codification** should facilitate prudent U.S. reductions by alleviating appropriate existing concerns that reductions that may be reasonable now could soon prove to be a mistake if rendered “irreversible.” Moscow clearly recognizes the contradiction of seeking better political relations while purposely perpetuating MAD.⁴⁷ By moving away from the Cold War arms control framework based on the perpetuation of MAD, Washington and Moscow should have an improved opportunity to establish a less competitive and hostile basis for their relations, more transparency and predictability, and to focus more congenially on additional areas of mutual security concern such as bilateral and multilateral efforts to counter transnational crime and proliferation.

Absent a relationship centered on MAD, for example, Russia could regard with some sympathy expressed U.S. concerns about possible lapses in the secure command and control of Russian nuclear weapons. The notion that U.S. concerns about Russian command and control could lead Moscow to “dealert” its strategic nuclear forces—while the Kremlin continues to see itself as locked into a desperate competition to maintain its side of parity and the MAD equation—is far-fetched, as most Russian commentary on the subject illustrates. In the context of a political relationship and an arms control process that seeks to move away from mutual nuclear threats, the Kremlin would be less likely to interpret such U.S. initiatives as ploys to degrade Russian capabilities.

Consequently, **the U.S. approach to strategic arms control should be restructured toward far greater efforts to promote “mutual assurance,” including significant and coordinated reductions in deployed strategic nuclear forces if indicated, following a review of U.S. force requirements. If the United States maintains the capability, will, and right to adjust its nuclear force structure as strategic need dictates, then moving toward significantly lower levels of deployed nuclear forces in consultation with Moscow could indeed be prudent and practicable.**

Whether Moscow will be willing to participate in a newly-structured arms control process on this basis, a process intended to rebuild the U.S.-Russian relationship on a less adversarial foundation, ultimately will be decided in the Kremlin. There is some recent indication from the most senior levels of the Russian government that Moscow is prepared for a major restructuring of the arms control process. For example, President Putin recently proposed that U.S. and Russian strategic nuclear forces be lowered “in parallel.” This language was clarified by a senior member of the Russian Foreign Ministry as being a proposal for arms control reductions that would be, as recommended here, “coordinated” but less rigidly legalistic than Cold War arms control regimes.

The offensive arguments against SORT-style arms control advanced by the arms control community create serious problems an Aff forced to exclude negotiated limits, verification and transparency measures. To answer these objections, the Aff would have to make policy arguments against international law, verification and inspections, which is inconsistent with the existing nonproliferation regime (the IAEA conducts inspections, after all) and probably other 1AC claims.

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<http://thebulletin.metapress.com.proxygw.wrlc.org/content/q0813341r42u7459/fulltext.pdf>

□ It does not require the elimination of a single missile silo, submarine, missile, bomber, nuclear warhead, or bomb, and it also permits the unlimited production of new nuclear warheads of all types, unlimited deployment of new tactical nuclear weapon systems, and (after START expires in 2009) unlimited production and deployment of new strategic delivery systems. The Moscow agreement erodes the very concept of negotiated binding arms control treaties as a means of reducing the nuclear threat and enhancing international security.

□ The treaty has an exceedingly permissive withdrawal clause. In place of a six months' advance notice of withdrawal and an explanation of the extraordinary events that require it to withdraw, each party may simply "exercise its national sovereignty" and withdraw upon three months' written notice. Of course, withdrawal is hardly a major issue for a treaty that is so poorly constructed that it arguably has no cognizable legal obligation, but it sets a poor precedent, reinforcing the broader message that the United States no longer takes arms control obligations seriously.

To reiterate, the Moscow agreement is a twoand-half page memo, referencing vague unilateral statements by the two leaders, a statement missing everything one would rightfully expect in an arms control treaty, and it is self-nullifying to boot.

We have to ask ourselves why anyone would consciously and deliberately choose to draft a treaty in this manner. Is **this Undersecretary of State John Bolton's idea of an inside joke**—one more opportunity to get his digs in against the proponents of negotiated arms control agreements and the rule of law in the international sphere? If so, it's too cute by half.

What the administration has done with this treaty demeans the treaty-making process, and makes this nation look foolish before the community of nations. I feel a deep sense of discouragement that the executive branch can't summon the political will to do a better job, using the preventive tools of diplomacy and cooperative verification to reduce the threats of nuclear proliferation and terrorism.

I suspect that many more Americans are similarly discouraged by what is taking place. Between bouts of self-congratulation for producing this miniscule treaty, and its frequent swipes at negotiated arms control agreements, the administration is missing the larger point. Since the Gorbachev era, nuclear arms control and nonproliferation concerns have essentially merged. Defense Secretary Donald Rumsfeld and others continue to use "Cold War arms control" as a whipping boy, as though they've only just discovered that the issue

of fine-tuning the nuclear strategic balance is no longer relevant.

When it comes to reducing the threat posed by nuclear weapons, less is not more. Less is less. Less verification, less cooperative inspection, less warhead and launcher destruction, and less accountability mean less security.

Using the existing weapons as bargaining chips to negotiate an agreement with Russia is a competitive alternative, and it can link turn Russia advantages. The unilateralist counter-arguments (that arms control agreements are bad for relations because they focus attention on an inherently competitive enterprise) are so inconsistent with arms control generally that they are hard for the Aff to read in the 2AC.

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The U.S. side makes a broader argument about the treaty being no longer relevant to the more friendly environment of the current era. Although this argument has become strained in recent years, it continues to be at the center of the Bush administration's argument against extending START.

They continue...

- Another proposal has emerged to base further reductions in strategic nuclear forces on **parallel unilateral statements** made by the two presidents either immediately before the START deadline or after the deadline has passed. For example, the U.S. president might unilaterally state his intention to reduce U.S. strategic nuclear forces to 1,000 operationally deployed warheads while declaring his intention to eliminate warheads in storage. Such a declaration might begin to assuage Russian concerns about the upload potential of U.S. nuclear systems, a point to be discussed further below. Experts from both countries, however, have raised questions about such an approach. Similar to the transparency problem, Russians tend to see unilateral measures as a trap, forcing in motion reductions or changes in their nuclear arsenal that the United States might very well escape by reversing a unilateral decision. Some U.S. experts, by contrast, argue that the United States should never give something for nothing where the Russian nuclear arsenal is concerned, and the only way to ensure that the two countries are giving and getting in equal measure is through a legally binding negotiated reduction.

D. START Status Quo and Options

The START regime will collapse mid-year. No one really knows exactly how this will be handled, but it is at least theoretically – if not politically - possible to extend the verification without additional cuts.

Jeff Lewis (Augustana debater, now the PhD'ed Director of the Nonproliferation Studies at the New America Foundation)

<http://www.armscontrolwonk.com/2047/start-dead-treaty-walking>

For those of you who don't follow this stuff, START — and its essential verification provisions — expire on December 5, 2009. The treaty states that the parties shall meet to extend the treaty “no later than one year before the expiration of the 15-year period” — ie December 5, 2008. Apparently, the US position is that we have to have the meeting by December 5, 2008, but can have subsequent meetings and make the decision any time after that date. I have been told that the Russians are taking a tougher reading — that the decision to extend must be taken by December 5, 2008. That is, in part, because they want out of some START restrictions in exchange for continuing the verification provisions.

(WMD Insights has a nice, readable review of Russian motivations.)

We need to extend START — well at least the verification provisions. The problem is that the US opposes a legally-binding verification protocol. The US is frittering away time trying to convince Paula DeSutter and crew, who have been whining about how much paperwork START is. Seriously. **Anyway, I suspect the Russians will let up on their interpretation — but it is going to cost us.** Boy, don't you wish we'd done this a year ago? (See Frickin' Extend START Already, June 21, 2007.) It seems pretty unlikely that the US and Russia will be able to complete an agreement by December 2008. But it is possible to get something done by December 2009. There are a lot of proposals, but I think one of the most interesting is an “Enhanced SORT.”

As of now US doesn't consider itself bound by START II's limits on Multiple Independently targeted Re-entry Vehicles (MIRVs) for ICBMs. Also, Russia's new Topol is a MIRVed ICBM. SORT uses the about-to-expire monitoring from START I and otherwise has no verification provisions.

SIPRI 2006 (Shannon n. Kile, Vitaly Fedchenko and Hans M. Kristensen)

World Nuclear Forces Appendix 13A.

From <http://www.sipri.org/contents/expcon/worldnuclearforces.html>

Because **SORT does not include verification measures**, and because the **START I Treaty expires in 2009**, monitoring the development of Russian and US strategic nuclear forces will be increasingly difficult. Much like during the cold war, satellite surveillance and human intelligence will once again be the primary means with which the world's two largest nuclear weapon powers monitor—and potentially misunderstand—each other's nuclear force developments.

The USA abandoned the START II Treaty in 2002 and now plans to retain a multiple warhead capability for its ICBM force.

The number of warheads deployed on ICBMs will be reduced to 500 to comply with the SORT ceiling of no more than 2200 operationally deployed strategic warheads by 2012. However, hundreds of additional ICBM warheads will be retained in the 'responsive force' reserve for potential uploading onto Minuteman missiles.

At her confirmation, Rose Gottemoeller, the head US arms control negotiator, made it clear that Obama will be pushing for START follow-on

Gottemoeller 2009 Rose Gottemoeller formerly of Carnegie Endowment, currently the Assistant Secretary of State for Verification and Compliance

<http://foreign.senate.gov/testimony/2009/GottemoellerTestimony090326p.pdf>

Senate Foreign Relations Committee Today, these core missions place the Bureau at the center of key national security initiatives of the Obama Administration. The Bureau's missions have direct relevance to resolving the nuclear issues in Iran and North Korea, the President's goal of ratifying the Comprehensive Nuclear Test Ban Treaty (CTBT), and the negotiation of a Fissile Material Cutoff Treaty (FMCT). Also, the Bureau's START and CFE responsibilities will directly involve it in several key negotiations. As I am sure the Committee is aware, START will expire before the end of this year, and President Obama is committed to negotiating a follow-on agreement to replace START and to continuing along the path to the eventual elimination of nuclear weapons.

Most members of the policy community acknowledge that something is needed in this context, but there are numerous competitive alternatives.

A clear negative CP option is the minimum - extending the verification provisions without additional cuts (essentially, SORT). This is an interesting option because it is defensible against “START collapse bad” advantages like crisis instability, but would represent a step back even from the Bush negotiating posture, and it would be hard to get the Russians and other successor states to agree without some other carrots.

A ‘medium’ CP option would be to do informal arms control (closer to the middle ground that Sloss describes below) in the interim and complying with the existing SORT warhead counts or, reducing further but through parallel unilateral measures (consistent with Payne’s description of the unilateralist/neoconservative approach to nuclear reductions).

The maximum, clearly worthwhile Aff ground, is a bilateral deep cuts regime, but the details of the counting rules and the size of the cuts is up for debate. The issue of non-deployed warheads (the ‘responsive force’ and the ‘strategic reserve’ or ‘hedge’ on the U.S. side) is a core controversy – it was the basis for the original START III proposal.

Still, the TSC must come to a consensus on how to deal with the START counting rules.

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In another sense, this lack of progress at Sochi is a good outcome

Although action in the negotiations is on hold for the moment, both sides seem to have ample will to move forward once Bush leaves office and the U.S. presidential transition is underway. Certainly neither country is resisting the notion that a follow-on to START must be found and urgently. Each country clearly recognizes the deadline of December 2009 and seems to accept that a successful extension or replacement of START will do much to create a positive environment when the next nuclear Nonproliferation Treaty (NPT) review conference gets underway in the spring of 2010.[10] That said, several different options are already on the table, and others continue to be developed. For example, Shultz, Perry, Kissinger, and Nunn called for a straightforward extension of key provisions of the existing START in their Wall Street Journal op-ed published in January 2008.[11] Russia and the United States, meanwhile, have agreed to the more ambitious goal of seeking a follow-on agreement to START, not merely an extension of the current agreement. Worries exist in both capitals about whether such an agreement can be negotiated, ratified by the two legislatures, and brought into force in a period of little more than a year. For that reason, some experts have called on Russia and the United States to take unilateral steps to extend the life of START and also perhaps to achieve further reductions. For those seeking to achieve a negotiated agreement, the options also range across a spectrum determined by START at one end and SORT at the other.

The pros and cons of these various approaches deserve to be widely debated. Several points may be highlighted to inform the discussion

- A simple extension of START for the five years called for in Article XVII of the treaty would be the most straightforward approach and would create time and space to achieve a reasonable, negotiated outcome. According to the terms of START, if this step is to be taken, it will have to be decided by the end of December 2008, one year before the treaty goes out of force. Both governments, however, already have moved beyond this position. Each has its own arguments for saying that START is too cumbersome, a Cold War-era treaty that should not be extended. The Russians base their arguments mainly on the expense and complexity of the START Verification Protocol. They are fond of saying that a number of the notifications and inspections required no longer make sense and should be dropped from a future agreement for a streamlined and less expensive verification arrangement. The U.S. side makes a broader argument about the treaty being no longer relevant to the more friendly environment of the current era. Although this argument has become strained in recent years, it continues to be at the center of the Bush administration’s argument against extending START.

- Agreed steps to continue the main constraints of START, such as the limitations, counting rules, and major verification provisions, on an informal basis could be a valuable goodwill gesture should negotiations continue without success after the December 2009 deadline. In fact, they could play a significant role in ensuring confidence in the continued implementation of SORT, which has depended on START remaining in force “in accordance with its terms.”[12] In particular, such steps would ensure that further reductions in strategic forces are mutually transparent and correspond to SORT guidelines. An agreement of this kind also would address the complication that START signatories include Belarus, Kazakhstan, and Ukraine, who would have to agree to a formal extension of START.

- Another proposal has emerged to base further reductions in strategic nuclear forces on parallel unilateral statements made by the two presidents either immediately before the START deadline or after the deadline has passed. For example, the U.S. president might unilaterally state his intention to reduce U.S. strategic nuclear forces to 1,000 operationally deployed warheads while declaring his intention to eliminate warheads in storage. Such a declaration might begin to assuage Russian concerns about the upload potential of U.S. nuclear systems, a point to be discussed further below. Experts from both countries, however, have raised questions about such an approach. Similar to the transparency problem, Russians tend to see unilateral measures as a trap, forcing in motion reductions or

changes in their nuclear arsenal that the United States might very well escape by reversing a unilateral decision. Some U.S. experts, by contrast, argue that the United States should never give something for nothing where the Russian nuclear arsenal is concerned, and the only way to ensure that the two countries are giving and getting in equal measure is through a legally binding negotiated reduction.

- “START-Plus” is another option for which some experts have been arguing.[13] This concept may include extending START until such time as a new treaty is negotiated, building further reductions in launch vehicles and warheads into the START structure, instituting a streamlined START verification regime, and accounting for conventional ballistic missiles under existing START counting rules. At a later stage, it would involve dealing with the problem of nondeployed warheads, for example by placing further limits on the number of delivery vehicles or creating a regime to verify nondeployed warheads, an idea the United States proposed in 1997 as the underpinning for a START III. Russian experts have not been particularly enthusiastic about the START-Plus idea because as in the case of a simple START extension, it will create both military-technical and political problems for Russia. Russian experts believe that START generated some difficulties for operating their strategic nuclear forces and in the future may hamper its planned modernization, in particular the deployment of Topol-M-type ICBMs with multiple warheads, formally called multiple independently targeted re-entry vehicles (MIRVs). A reworked START, for that reason, would not be the preferred approach in Moscow.

Under a regime that cuts to 1,700 warheads, the “main issue” that the relevant US official believes would have to be negotiated is the dual role of the Trident missile

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These goals may be achieved by structuring an enhanced SORT so that the upper limit allowed for strategic nuclear forces would be 1,700 deployed warheads, to be achieved by the end of 2012. Presently, this number is the lower end of the 1,700-2,200 reduction level called for in SORT. The main issue to be addressed within this limit would be the counting rules, in particular how to account for the possibility that conventional warheads could be placed on Trident-2 submarine-launched ballistic missiles (SLBMs) or other delivery platforms and how to understand the U.S. principle of counting only “operationally deployed” warheads.

Before joining the administration, she advocated using counting rules that explicitly counted non-nuclear Tridents as nuclear warheads. If this becomes the negotiating position taken by the State Department mid-year, this could drastically change the START debate. An Aff could argue that Russia might accept deeper US nuclear weapon cuts in exchange for leaving the conventional Trident out of the treaty, turning the Trident DA into an advantage.

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For the conventional warheads, the United States should simply agree to count them as nuclear warheads. Otherwise, we will end up with verification measures that are much too intrusive and to which neither Russia nor the United States would agree at the current time. Such a counting rule should be acceptable because the United States only plans to deploy a few tens of such conventional missiles. Although the overall treaty limit remains at 1,700, counting them as nuclear will only slightly impact the U.S. strategic nuclear potential