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The New Start Treaty: assessment and outlook

Introduction

The New Start Treaty is the sixth bilateral U.S.-Russia strategic arms control agreement. Like all its predecessors, it provides a framework for the evolution of arsenals (at least concerning means of delivery) and for predictability and stability. However, its accounting uses fictitious units (“accountable warheads”) and does not provide for the destruction of warheads.

The Treaty was signed in 2010 and entered into force in 2011. The reductions were to be achieved within 7 years, which was the case, and the Treaty was to remain in force for 10 years, expiring in February 2021.

According to the text of the Treaty, New Start can be extended for up to 5 years, a proposal that was reportedly made by Russia and is under consideration by the United States. The extension depends on a simple presidential decision on both sides (although some Russian analysts suggest that a Duma vote would be required).

Several factors could determine the choices made by the two countries in the coming months. Four of them can be highlighted:

- ⇒ *Strategic stability*. This is about imposing constraints (visibility, limits) on a strategic competitor. This element depends on the state of forces and arsenals but also on threat perceptions¹.

¹ Emmanuelle Maitre, “L’arms control en question : Au-delà de New Start,” Présentation, Conférence, *La fin de l’arms control*, FRS, Bibliothèque nationale de France, 14 May 2019.

- ⇒ *Domestic political considerations.* This factor should not be a major problem on the Russian side. Limiting the quantitative growth of arsenals could be another incentive for extending the Treaty, motivated by budgetary constraints. On the other hand, it is complex on the American side: the ratification of the Treaty in 2010 was achieved at the price of a compromise with Congress on an ambitious program to renew the Triad. Today, the Trump presidency may have a political interest in letting the Treaty expire, if only to mark its break with the Obama presidency. Congress includes a large group of elected officials who are skeptical or even hostile to arms control, for deep-seated reasons or in reaction to Russian violations. But some Republicans and most Democrats, holding a majority in the House, support the Treaty and want the 2010 compromise to be respected.
- ⇒ *The state of the bilateral relationship.* This factor is difficult to anticipate, particularly in view of the lack of clarity of the White House, under Trump, with regards to relations with Russia, and the diverging views from other stakeholders (Congress in particular). Nevertheless, the idea of an agreement on extending New Start aiming at improving strategic relations between the two countries seems unconvincing at present. On the other hand, some experts put forward the opposite reasoning, stemming from the Cold War: in times of limited official relations and tensions, arms control can be an element of dialogue and mutual understanding.
- ⇒ *Non-proliferation considerations.* The signing of the Treaty had been presented as a major step forward in the implementation of Article VI of the NPT, following on from the major agreements to reduce strategic arsenals inherited from the Cold War. Its disappearance would send a negative signal about the credibility of the step-by-step disarmament process touted by the nuclear weapons states and their allies. Nevertheless, in the current context, this factor is likely to play little role: Russia is fairly insensitive to international pressure in this area, and the United States does not seem to be able under the current government to restore its image after its withdrawal from the JCPOA and from the INF Treaty. Nevertheless, at the 2019 PrepCom some countries felt that this would be a minimum to be achieved by the next review conference. Furthermore, the end of the New Start would create a new source of disagreement within NATO, as the majority of European allies officially support its extension.

The New Start Treaty after ten years

The last major bilateral arms control agreement

The Treaty was signed on 8 April 2010. It replaced the START 1 Treaty, which had expired on 5 April 2009, and superseded the 2002 Strategic Offensive Reductions Treaty (SORT), which expired in 2012. After a vigorous debate, the US Senate gave its authorization for ratification on 22 December 2010 (by 76 votes to 26) and the Russian Parliament on 25 and 26 January 2011. The Treaty entered into force on 5 February 2011, after exchange of the instruments of ratification. The Treaty gave the parties seven years to comply with its provisions. This was the

case on 5 February 2018. The Treaty is scheduled to last ten years, but under Article XIV, it can be extended from year to year for up to an additional five years (*i.e.* until 5 February 2026). It is a very detailed treaty (several hundred pages), but it leaves considerable latitude to both parties as to the exact manner of complying with it (composition of forces). Its transparency provisions are noteworthy: for example, it requires each party to notify any movement of launchers to or from operational bases.

A satisfactory implementation despite some uncertainties

While the United States has at times been quick – especially on the part of Congress and Republican think-tanks – to suspect Russia of violating arms control agreements, it has never publicly raised questions about compliance and has consistently judged Moscow to be “complying” with the Treaty. Only questions of “implementation” have reportedly been raised. Moscow, for its part, has also raised questions relating to the implementation of the Treaty, including on the procedures for the conversion of B-52 launchers and bombers. Both sides have carried out the annual notifications and 18 Type 1 (10) and Type 2 (8) inspections permitted by the Treaty have been carried out. More than 20,000 notifications have been exchanged through the Nuclear Risk Reduction Centers in Moscow and Washington.

The structure of arsenals under New Start

	2010 ²		2020 ³	
	United States	Russia	United States	Russia
(1) ICBM, SLBM, and deployed bombers	882	521	668	513
(2) ICBM and SLBM launchers, and strategic bombers, deployed and non-deployed	1 124	865	800	757
(3) Warheads on ICBM and SLBM, and accountable warheads for strategic bombers	1 800	1 537	1 376	1 426

Of note is that New Start led to Russia becoming “first” in terms of accountable warheads (3) and to significantly narrow the gap between the two countries in terms of launchers and missiles (1 and 2).

² New START Treaty Aggregate Numbers of Strategic Offensive Arms, Fact Sheet, [US Department of State](#), 1 June 2011.

³ New START Treaty Aggregate Numbers of Strategic Offensive Arms, Fact Sheet, [US Department of State](#), 1 January 2020.

Prospects

The Russian position

Since the demise of the INF Treaty, Russia has more clearly supported the extension of New Start and has expressed its readiness to discuss the terms of a new agreement.

On 2 February 2019, President Putin brought together his Foreign and Defense Ministers to discuss the implications of the White House's announcement on the withdrawal from the INF Treaty the previous day. On that occasion, he declared himself open to negotiations on arms control, but gave the order not to initiate such negotiations. This stance appears to be fairly consistent with the majority opinion in Russian expert circles, according to which the end of the INF would seriously compromise the renewal of the New Start Treaty in 2021. Russian experts also agree that the exchange of accusations between Russians and Americans about violations of the INF Treaty and the failure to respect New Start forms an unfavorable context for the negotiation of new agreements.

Certainly, Russian experts express concern about the gradual erosion of the structure inherited from the Cold War, with very gloomy predictions about its consequences, including for the military and strategic relationship between the United States and Russia, of which arms control remains the backbone. But the military institution, in particular, which has gained confidence and influence in decision-making processes, may be interested in having a freer hand and in creating an environment in which it can further cultivate ambiguity about its capabilities.

Moscow has also probably concluded that its demanding positions on the conditions for further disarmament (it has for years advocated an “integrated” approach involving, beyond strategic offensive nuclear weapons, anti-missile defenses, strategic conventional weapons and the multilateralization of negotiations) are unlikely to succeed in a bilateral politico-strategic context that it believes is likely to persist at best in its current state of tension and at worst to deteriorate further.

With this in mind, Russian Deputy Foreign Minister Sergei Ryabkov explained that Russia was in favor of prolonging the New Start as it could buy time to explore possible approaches to new types of armaments – those existing or being developed⁴. This position has been regularly echoed in the press and in public speeches by various officials. This rather active stance certainly aims to draw attention, by mirror effect, to the indifference, at best, and at worst the irresponsibility of the American administration on an issue to which many decision-makers and experts in the United States and Europe remain sensitive⁵.

On this subject, various themes frequently recur in the expert debate, pointing towards a possible evolution of Russian approaches to arms control towards greater realism and pragmatism (which no doubt also helps to win the support of the military and the arms industry). The need to abandon the traditional format of legally binding agreements is thus mentioned – an opinion which refers, among the alternative options, to the 1991-92 Presidential Nuclear Initiatives and the JCPOA.

⁴ “Deputy Foreign Minister Sergey Ryabkov’s interview with Kommersant,” 5 March 2020, [Ministry of Foreign Affairs of the Russian Federation](#).

⁵ Isabelle Facon, “Quel intérêt de Moscou pour la poursuite de l’*arms control* ? Éléments du débat russe,” [Bulletin n°65](#), Observatoire de la Dissuasion, May 2019.

There are three reasons for the Russian preference for maintaining New Start and, more broadly, for strategic arms control. A world in which bilateral nuclear arms control would no longer exist would be a world in which Moscow would (i) no longer be “equal” to the United States, (ii) reduce strategic stability, (iii) could provoke an arms race that it could not afford to follow⁶.

Moscow says it is open to talks covering all the parameters of strategic stability: the weaponization of space, hypersonic missiles, strategic conventional means, etc.⁷

The US position

The Administration

The Nuclear Posture Review of February 2018 confirmed that the United States would continue to implement the Treaty until at least 2021, but was silent on the issue of extending it.

Since then, Administration officials have generally remained cautious on this point in public statements and parliamentary hearings, preferring to discuss the prospect and terms of a new agreement⁸. At this point, the White House subscribes to the principle contained in the National Defense Authorization Act for 2020 that states: *“It is the sense of Congress that legally binding, verifiable limits on Russian strategic nuclear forces are in the national security interests of the United States.”*⁹

In March 2020, Chris Ford, Assistant Secretary for International Security and Nonproliferation at the State Department, the main administration official concerned, remained vague, stressing the importance of the new delivery systems developed by Russia and the size of its non-strategic arsenal. He confirmed the administration's strong emphasis on the inclusion of China in the process and the limits of a strategic conversation that would take only the two major players into account. Thus, the extension of the Treaty's validity seemed to him to be subordinate to the idea of progress in this direction¹⁰. In the ensuing weeks, the administration made it even clearer that any new agreement would have *“to include China”*¹¹.

Congress

The Republican position in Congress is even tougher. Thus, in November 2018, 25 Republican senators, led by Ted Cruz (R-TX) and John Kyl (R-AZ), published a letter addressed to Donald Trump asking him to take into consideration, before any extension, the need to modernize the American arsenal, the disparity of non-strategic arsenals, Russia's failure to comply with a number of other arms control agreements, and the non-inclusion of China.

In addition, two laws have been introduced in Congress to limit the possibilities for extending the New Start. (1) The Stopping Russian Nuclear Aggression Act, supported at the end of November 2018 by Tom Cotton (R-AR) in the Senate and Liz Cheney (R-WY) in the House. This

⁶ Kristin Ven Bruusgaard, “Russia killed arms control. Why does it want to keep New START?,” [Bulletin of the Atomic Scientists](#), 5 February 2020.

⁷ “Russia open for talks with US on hypersonic weapons — top diplomat,” [Tass](#), 14 April 2020.

⁸ [The New START Treaty: Central Limits and Key Provisions](#), Congressional Research Service, 2 April 2020.

⁹ *National Defense Authorization Act for Fiscal Year 2020*, signed on 20 December 2019 by President Trump.

¹⁰ “Briefing With Senior State Department Official On the New START,” [US Department of State](#), 9 March 2020.

¹¹ Jonathan Landay, “Pompeo Tells Russia’s Lavrov any New Arms Control Talks must Include China,” [Reuters](#), 17 April 2020

text threatens to stop funding the implementation of the Treaty if the government does not guarantee that maintaining it beyond 2021 is in the United States' interest. It also requires that new Russian assets be covered by the text and that Russia and the United States initiate discussions to address the disparity in non-strategic arsenals. (2) The New START Treaty Improvement Act, introduced in both Chambers by the same elected officials on 14 May 2019. This bill also provides for preventing funding for the New Start beyond 2021 if China is not part of the agreement and if it does not include “*all Russian strategic and non-strategic forces*”.

Nevertheless, some Republicans and most Democrats, with a majority in the House, wish to preserve quantitative limits on arsenals and have recently recalled the 2010 compromise. Thus, Senator Bob Menendez (D-NJ) strongly questioned Andrea Thompson, Under Secretary of State for Arms Control and International Security, on this subject on 15 May 2019. Several bills have been introduced that support the extension of the Treaty. (1) The SAVE Act, proposed by Ed Markey (D-MA) in the Senate on 2 May 2019, would require the intelligence services and the administration in the event of non-extension to give assurances that this decision would not compromise American security and would not lead to a loss of information on the Russian arsenal. It would also prohibit the production of delivery vehicles beyond the New Start ceilings except in response to a clear increase in Russia's strategic arsenals. (2) The New START Policy Act of 2019, also supported by Bob Menendez, which states that the US policy is to extend the agreement, except in the event of a Russian violation, and requires reports from the Director of Intelligence and the Secretary of Defense in the event of non-compliance. (3) The Richard G. Lugar and Ellen O. Tauscher Act to Maintain Limits on Russian Nuclear Forces, presented on 5 May 2019 by Representative Eliot Engel (D-NY), uses similar language.

In this context, competing resolutions have also been presented by Democrats in the House and Congress calling for the preservation of the Treaty. A few Republicans also sponsored these texts, while a letter signed by 24 Democratic senators called on Donald Trump to extend the Treaty¹².

It should be noted that all major candidates to the Democratic primaries of 2020 believed that New Start should be extended in 2021, at least as long as both countries uphold their commitments¹³. This included of course the current candidate to the presidential election of November 2020 Joe Biden.

¹² Emmanuelle Maitre, “Extension du New Start : vers un vif débat au Congrès ?,” [Bulletin n°65](#), Observatoire de la dissuasion, May 2019.

¹³ Camille Barbit, Emmanuelle Maitre, “Le nucléaire dans la campagne électorale américaine,” [Bulletin n°72](#), Observatoire de la dissuasion, February 2020.

The military angle

A noteworthy study by former NNSA Administrator Frank Klotz takes a position in this debate in favor of extending the New Start Treaty by treating the issue from a military angle.

First of all, he notes that the highest officials in the Pentagon have been in favor of the extension from the ratification in 2010 until today. The argument most often used is the capacity of the New Start to offer greater certainty than intelligence techniques on the composition of the enemy's arsenal, but also a rare opportunity for military-to-military dialogue. Frank Klotz also notes the role of the Treaty in making it possible to predict the volume of weapons deployed by Russia in the medium term and thus to size the American forces. At the national level, he recalls the deal made in Congress linking the Triad renewal program with the preservation of arms control agreements. He also responds to the opponents of the New Start extension. Thus, he agrees with Russia's numerical superiority in non-strategic weapons, but notes that this does not justify giving Moscow the capacity to develop superiority over strategic systems as well. Concerning three of the new strategic assets under development in Russia (*Kinzhal*, *Burevestnik*, *Poseidon*), he recognizes that these weapons would not be covered by New Start, but considers that they are unlikely to pose a militarily significant risk in the next five years and therefore considers that they should be dealt with in parallel or post-extension negotiations on a future treaty. The same applies to the question of opening the Treaty to China. Frank Klotz admits Russian violations of other arms control instruments, but believes that it would be inappropriate to reject the only agreement that works – notably through the comprehensive verification regime. Finally, he notes that the disappearance of the verification measures would force the United States to increase its intelligence spending or to reposition existing means, to the detriment of other areas.¹⁴

Three medium-term scenarios

The extinction of the Treaty

The implementation of the Treaty has been compatible with the maintenance, in practice, of a capacity to reconstitute former arsenals (maintenance of empty silos, reduction in the number of weapons on SSBNs, etc.). However, its disappearance would not necessarily mean a drastic increase in capacity on either side, since armament programs are the result of long-term investments and depend on budgetary trade-offs and production capacities limited both by available means (Russia) and institutional safeguards (the United States). If there were an “arms race”, it would probably be more a qualitative than a quantitative one. However, there is a risk of a clear drop in parity in certain segments which would lead to political pressure to “catch up” with the adversary – especially if Donald Trump, who one day allowed himself to point out to Vladimir Putin “*let it be an arms race !*” was to be re-elected¹⁵.

¹⁴ Frank G. Klotz, *The Military Case for Extending New Start*, [The RAND Corporation](#), February 2020.

¹⁵ Ed Pilkington, Martin Pengelly, “‘Let it be an arms race’: Donald Trump appears to double down on nuclear expansion,” [The Guardian](#), 24 December 2016.

On the US side, the decades-long Triad modernization program has been calibrated to the New Start format, and it is doubtful whether Washington will go beyond a relatively marginal increase in the number of delivery systems and weapons. However, new strategic options could be considered, such as the addition of missiles and warheads to the Ohio-class SSBNs¹⁶.

Russia, for its part, could assign hypersonic systems such as the *Avangard* to nuclear missions in addition to and not instead of ballistic missiles. Above all, however, it could be tempted to exceed the New Start ceilings for deployed nuclear warheads, given that it has the capacity for rapid and significant capability build-up, in particular via its heavy intercontinental missiles.

Finally, of course, the New Start Treaty is characterized by the extensive verification and inspection regime associated with it. Its disappearance would, after a few years, produce a notable lack of information, particularly on the American side, on Russia's arsenals and deployments. It would require increased intelligence efforts in this area and would deprive governments of reliable and agreed sources, allowing strategies of uncertainty and ambiguity to flourish.¹⁷

A global agreement

Two long-standing criticisms of the Start process are related to the failure to take into account non-strategic (Russian) means, as well as conventional long-range means and (US) missile defenses.

Another, newer criticism is that the current process does not allow new systems produced by Russia to be taken into account. However, the text of the Treaty definitively does allow the new *Sarmat* multi-warhead intercontinental missile to be accounted for, as well as the *Avangard* missile, a hypersonic vehicle with a ballistic launcher. This interpretation was confirmed by the Russian authorities, who presented the system to U.S. inspectors in November 2019. However, this would not be the case for the *Kinzhal* and *Burevestnik* missiles and the Poseidon launcher.

Some experts support the idea of a comprehensive regime that would impose ceilings on all missiles with a range of more than 500 km. Within this framework, the United States and Russia would have to choose the type of weapons favored, from among intercontinental and intermediate ranges. The ceiling could be revised downwards as the strategic context evolves. The idea of negotiating further reductions was publicly mentioned by the US Administration upon ratification of New Start, and again in 2013 when President Obama proposed a one-third bilateral reduction in deployed strategic nuclear weapons. Thus, whatever its format, a new agreement is likely to support the idea of further reductions in the authorized ceilings. However, Russia was very reluctant to talk about further reductions at the time and is now making the same arguments: Moscow no longer finds it acceptable to reduce strategic assets if certain categories of US weapons are not taken into account, including weapons that are supposed to undermine its strategic deterrent capability, such as missile defense and long-range conventional strike systems. The future of strategic missile arms control therefore faces the challenge of taking account of asymmetric capabilities, a challenge that appears essential in terms of its ability to adapt to a new strategic environment¹⁸.

¹⁶ Vincent Manzo, Madison Estes, "If New START Dies, These Questions Will Need Answers," *DefenseOne*, 28 July 2019.

¹⁷ Vince Manzo, *Nuclear Arms Control Without a Treaty? Risks and Options after New START*, Washington, D.C.: Center for Naval Analyses, 2019.

¹⁸ Emmanuelle Maitre, "Maîtrise des armements et missiles : quelles perspectives après la disparition du Traité FNI ?," [Recherches & Documents n° 2/2020](#), Fondation pour la recherche stratégique, February 2020.

A possible outcome would be the negotiation of an informal “SORT-style” agreement on form – full verification being out of reach – but “SALT-style” on substance, with an offensive and a defensive component, and taking into account the full strategic capabilities of both sides, including perhaps some non-intercontinental means. This could be accompanied by an overall volume of operational nuclear weapons, with an authorized “mix” between strategic and non-strategic weapons. At this stage, such a scenario appears very hypothetical.

A trilateral agreement

In both the United States and Russia, critics of the arms control regime inherited from the Cold War insist on the anachronism of thinking only in terms of bilateral agreements while new strategic competitors are emerging at the global and regional levels. In Congress, several legislators have made proposals requiring that any new agreement include China. The White House strongly supports such a prospect. However, as far as strategic weapons and a successor agreement to the New Start are concerned, there are still very significant numerical asymmetries in the arsenals. For states to agree to join the United States and Russia in such discussions, asymmetric reductions or ceilings favorable to the smaller powers (including China) would likely have to be considered. Indeed, the latter would not agree to reduce their stocks of intermediate or intercontinental reach as long as this major numerical imbalance with Washington and Moscow persists¹⁹.

At this stage, China has given no indication that it would be willing to join such discussions.

At this stage, political considerations specific to the Trump administration make it particularly difficult to predict the future of strategic arms control. However, for the short term, the hypothesis of an outright extinction in February 2021 is not certain at this stage :

- ⇒ Donald Trump could be persuaded by his administration of the value of a year-by-year extension on a provisional basis, if only to give the impression that he is giving the negotiations “every chance”. If re-elected, he could also be tempted by the possibility of a “grand bargain” with Russia on strategic stability. Moreover, the opening up of arms control will remain a *sine qua non* condition for Democrats to agree to the continuation of the financing of the modernization of the armed forces.
- ⇒ Joe Biden would easily extend the Treaty year by year, and his administration would be creative in trying to revive the process of negotiating a new treaty. On the other hand, he would have to give the Republicans a commitment to modernizing the forces.

Beyond that, the subject of post-New Start raises two fundamental questions:

¹⁹Tong Zhao, “Opportunities for Nuclear Arms Control Engagement with China,” [Arms Control Today](#), 27 January 2020.

- ⇒ *The relevance of strategic arms control in a context of asymmetric capability developments:* this is not a new issue, but it seems to be taking on considerable importance at a time when the three major military powers are developing their strategic arsenals in diversified segments and the lines separating the different categories of systems seem to be blurred.
- ⇒ *The relevance of pursuing these discussions in a bilateral context:* if the United States (and, to a lesser degree, Russia) regularly refer to their desire to bring China into these discussions, it is because China's arsenal has reached a maturity that did not exist when New Start was signed. Such a perspective would require a complete rethinking of the concept of arms control agreements and probably a move away from a quantitative logic.

There is thus a risk that strategic arms control will become either impossible – its “vertical” (scope) and “horizontal” (parties) extension proving to be out of reach –, or useless – the sole limitation of strategic nuclear delivery systems appearing much less central than it was during the Cold War.

The remaining arguments in favor of such agreements would then remain (i) the maintenance of a channel for bilateral political-military dialogue, (ii) the predictability of the evolution of the other side’s arsenal, and (iii) its verification regime. However, the fate of the INF Treaty has had a lasting effect on arms control by demonstrating the risk of a significant violation of the very essence of the Treaty. For many, discipline cannot work if there is not a minimum of confidence that commitments will be respected. However, while current technological developments may offer new possibilities in terms of verification, they may also give rise to new difficulties.²⁰

²⁰ See for example Speech by NATO Secretary General Stoltenberg at the High-level NATO Conference on Arms Control and Disarmament, [NATO](#), 23 October 2019.

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ISSN : 2273-4643

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