



DISARMING ARCTIC SECURITY

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The “Rogue” Missile Threat: Getting from BMD to NPT

Canadians might soon be asking just where George W. Bush is when we really need him. He used to be a key antidote to Canadian temptations to embrace North American ballistic missile defence (BMD). Canada’s 2005 rejection of BMD was driven largely by anticipated public reaction to Canada signing on to a system championed by a Bush Administration that was, to understate it, little loved in Canada and that had especially offended disarmament advocates with its trashing of the ABM Treaty¹ and its hostility toward arms control generally. Now, however, with the Bush effect waning, the allure of a Canadian BMD role seems to be waxing. So, well into the final quarter of the still appreciated Administration of Barack Obama, and with a new and less polarizing but Washington friendly Government in Ottawa, BMD supporters in Canada see a new opportunity to pursue BMD involvement without generating a major backlash. What hasn’t changed, though, is the basic reality that, even if its technology improves, BMD won’t solve the rogue state missile problem. That’s because the North Korean missile threat is finally a non-proliferation, not a defence, challenge.

Canada’s reviving BMD ambitions

In May of 2014 two former Canadian Liberal Defence Ministers told an Ottawa Senate Committee that it was getting to be the right time for Canada to finally join BMD. They argued that if the US pursues continental systems that affect Canadian security – they put it more positively as “the development of ... systems that are designed to protect North America as a whole” – Canada is better off participating.² In June 2014 Prime Minister Stephen Harper told the Group of Seven gathering in Brussels that while Canada had not changed its position on BMD – that is, it was still not buying into the North American edition of BMD – his Government was aware of changing circumstances and regularly considered whether a change on BMD might serve Canadian security interests.³

Also in June, the Senate Committee on National Security and Defence issued a report directly focused on “Canada and Ballistic Missile Defence.” To no one’s surprise, it was “unanimous in recommending that the Government of Canada enter into an agreement with the United States to participate as a partner in ballistic missile defence.”⁴

In August of 2015, Mr. Harper again indicated some openness to Canada joining the US in continental BMD if the Conservatives were re-elected to Government, but he insisted that he “would only give the green light to ballistic missile defence if [the Government] felt Canada’s security was in jeopardy.”⁵

The Ottawa *Citizen* reported in September 2015 that Canada, with some encouragement from the Pentagon, was beginning to explore replacing the radars of the Arctic-based North Warning System (NWS) with “continental surveillance radars” that would track ships and aircraft, but also ballistic missiles⁶ – suggesting a direct Canadian role in BMD, first in researching the feasibility of enhanced air and space surveillance facilities in the Canadian North, and later in BMD-related deployments on Canadian territory. DND anticipates that existing NWS radars will require replacement in about a decade and research is now being undertaken through Defence Research and Development Canada on new multi-purpose radars.

Most recently, a report by the University of Ottawa’s Centre for International Policy Studies, authored by a working group of academics and former officials, has encouraged the new Liberal Government to reconsider Canada’s hitherto rejection of BMD. The paper recommends that Canada “seek to formally join the United States’ ballistic missile defence system” and to locate the command and control within NORAD in order to enhance the status of NORAD and to try to ensure its future.⁷ At the launch event for the report, the authors argued that “it’s better to be inside the room than outside the room when others make decisions about our security.” The point was also made that since all other NATO partners are in a BMD system of some kind – the Europeans supporting the NATO BMD – Canada should be part of the North American version.

Where aspirations trump competence

Tellingly, the case for Canada joining BMD is rarely argued on the merits of the system. The Senate Committee report in fact briefly acknowledges that the effectiveness of strategic range or mid-course interception BMD is still very much in question. The Senate report recalls one expert witness confirming that the “most problematic” element of America’s worldwide system is the strategic-range BMD – the part designed to intercept intercontinental missiles in mid-course (in space, after the warhead has separated from the missile) while *en route* to North America. The radar system, the expert told the Committee, needs to be upgraded and the “kill-vehicle” (the interceptor payload that is intended to collide with the incoming warhead) needs to be redesigned. US Lt. General (retired) Robert Gard, Chairman of the Center for Arms Control and Non-Proliferation in Washington and a BMD critic, told the Senate that the current “kill vehicle” is incapable of discriminating between an incoming warhead and the decoys that would accompany it, adding that “without this discrimination capability, the system will never offer reliable protection.”

Even Pentagon missile defence advocates, in their most optimistic assessments of the system’s prowess, can’t avoid acknowledging the inadequacies of the radars and kill vehicles.⁸

Philip Coyle, another well-known US critic of BMD and former assistant secretary of defense and director of Operational Test & Evaluation at the Pentagon, gave evidence of the growing rate of failure in the US BMD test program. Since 1999, he said in March 2014, half of the tests had been deemed successful, but since 2002 that record had fallen to one-third, and since 2008 only one of the four flight tests managed to hit its target – furthermore, none of the tests was conducted under real world conditions.

But ballistic missile defence aspirations have long trumped the system’s actual competence. So when Canadians promote joining BMD, they tend not to argue that it actually works as advertised, but focus instead on US-Canadian relations and on gaining access to this section of the continental security table. Prime Minister Harper at least insisted that any Canadian decision on BMD would be based on a perceived need to

reduce vulnerability – a context in which it is possible to debate the nature and extent of the vulnerability (the threat) and, especially, the extent to which BMD could realistically reduce that vulnerability.

BMD and managing Canada-US security relations

But the brief reference to BMD in the University of Ottawa study, the most recent call for Canada to join BMD, makes no reference to Canadian security needs, focusing instead on the importance of getting a seat at the BMD table.

That focus seems to ignore the many Canada-US security tables at which Canada is already present – NORAD, the Military Cooperation Committee, the Permanent Joint Board on Defence, the 80 treaty-level agreements, the more than 250 memoranda of understanding, and the 145 bilateral forums on defence issues between the two countries.⁹

Former Canadian Defence Minister Bill Graham told the Senate Committee that “participating in BMD would help preserve NORAD and Canada’s overall security relationship with the United States.” But it does seem odd to insist that NORAD’s long-term preservation is linked to its peripheral role in BMD, when the actual day-to-day work of NORAD operations is all about air defence. Monitoring the approaches to North American air space, as well as monitoring internal air space to guard against and respond to the kinds of hi-jackings that were featured in 9/11, is the core task of NORAD. It is an essential task valued by both countries – and presumably it is the relevance and importance of its core task that will preserve NORAD in the long run. Detection of ballistic missiles is nominally a NORAD function, but it is based entirely on US assets without NORAD being central to it.

There is logic in the claim that, without joining BMD, Canada remains absent from the table at which it is decided precisely how attempted interceptions are to be managed in the face of direct attack, but that hardly means that BMD is critical to Canada’s overall security relationship with the United States. There is clearly not a paucity of tables at which Canada can discuss the many facets of the Canada-US security relationship, including BMD.

The larger Canadian objective ought to be to bring BMD to a larger table at which cooperative, not competitive, development might become the model. A Canadian seat at any table with just two chairs, when the other one is occupied by a singular global power, doesn’t necessarily afford Canada a lot of influence. Had Canada been at an explicitly American BMD table this past decade, how would the program’s development have changed? Would Canadians have been safer? Canada has traditionally understood that as important as bilateral security forums with the United States are, they alone will not adequately serve Canada’s interests – it also takes a range of multilateral tables that allow for cooperation with other like-minded states to pursue common interests and to collectively constrain the powerful in the exercise of their presumed prerogatives. Through multilateral forums there is an opportunity to influence the environment in which the North American security table is set – in this case, to create a greater sense of urgency in support of global nuclear non-proliferation and disarmament objectives over alliance based defences as a means of responding to the North Korean threat.

BMD and the strategic environment

The strategic environment in which North American ballistic missile defence is pursued is now, in the words of former US Defense Secretary William Perry, on the “brink of a new nuclear arms race.”¹⁰ The risk of such a race reflects the obviously deteriorating relationship between the US and Russia,¹¹ and there is no denying that BMD is one contributing factor to that deterioration.

It is true, as was argued before the Senate Committee, that mid-course BMD as now configured does not pose an actual threat to Russian and Chinese deterrent forces, as they claim it does. As currently deployed, strategic BMD offers a potential capability against an isolated attack from a rogue state that, so far, also remains a potential, not an actual, threat, or from an accidental launch from an established nuclear arsenal.

At the same time, Russia makes the understandable counter argument that if BMD technology were to become reliable, the Americans could abandon the limits put on current deployments and move instead to rapidly build up their interception forces to the point that they could challenge the Russian deterrent. For China, with its much smaller force of strategic-range missiles, that point is even more compelling. And thus, if China’s leaders became convinced that the US missile defence system could be quickly expanded to neutralize their deterrent, they might well move to expand their offensive forces – setting off a classic defence-offence arms race.¹² Russia also argues that the regional ballistic missile defence systems that deploy US interceptors in Europe and North Asian waters leave it little choice but to pursue substantial modernization of its deterrent forces – including the development of new missiles, bombers, and submarines.

Russia has sought other measures to reduce the risks they see in US BMD: notably “legal guarantees that [US] interceptors will not target Russia’s strategic missiles,” similar assurances that European missile defence will not neutralize Russia’s deterrent, and joint NATO/Russia control over the launch of interceptors (all of which are said by the US, after all, to be focused only on North Korea’s potential missile attacks, protection from which should be a shared Russian/NATO interest). The US has rejected all such proposals.¹³

There is little doubt that ballistic missile defence in both its strategic and regional modes (the systems that go beyond war theatre defences against conventionally armed short-range missiles) makes nuclear arms control politically more difficult. As a Bulletin of the Atomic Scientists analysis concludes, “an open-ended US commitment to ballistic missile defence will hinder the global disarmament process and perhaps even trigger a renewed nuclear arms race.”¹⁴ The Committee acknowledges this danger, but still concludes that, “while it is true that the sensitivities of Russia and China regarding BMD should be taken into account, development of missile defences against rogue states is too pressing a matter to be held hostage to these two countries.”

That amounts to a truly astonishing trade-off. The Senators actually seem to be insisting that relations with Russia, one of the two largest nuclear powers (and an Arctic partner), and with China, the nuclear power with the most potential (the greatest risk) for rapidly expanding its nuclear arsenal in response to a further deterioration of the strategic environment, are worth sacrificing for a BMD response to a still far from mature threat with still far from mature technology. At least one witness, Colin Robertson, thought it sensible to try

to mitigate the negative impact on relations with Russia by inviting the Kremlin to be part of a collective BMD effort. Canada and the US are both partners with Russia in the Arctic and should want to respect the spirit of the Ilulissat Declaration, which insists that the Arctic is not a competitive military environment but one in which maritime domain awareness, search and rescue, and emergency response operations all benefit from regional cooperation. The only way to mitigate the negative political impact of BMD deployments on the strategic environment is for there to be legally binding limits on missile defence deployments, and for missile defence programs that do go forward to become overtly cooperative efforts, from research and development to deployment, with Russia and China at least at any ballistic missile defence table that Canada might join.

The Senators did not take up the suggestion of cooperation with Russia, but the new Government of Canada should insist that the coming upgrade of the north warning systems (NWS), an Arctic-based project, should reflect the letter as well as the spirit of Ilulissat. The NWS is a string of radars from Alaska, across Canada's north to Labrador that could be conceived as part of a pan-Arctic, rather than just a North American, enterprise to enhance mutual situation awareness and cooperation in the region.

North Korea: a non-proliferation, not defence, problem

The Senate Committee report gives prominent, and appropriate, emphasis to the emerging North Korean nuclear-armed missile threat. It cites North Korea's persistent efforts to develop an intercontinental-range ballistic missile, its work on nuclear warhead miniaturization, and its disruptive actions within the North Asia region: "North Korea has demonstrated a willingness to defy UN Security Council resolutions, to attack its neighbors, to threaten to attack North America, and to develop a means to make good on its threats using nuclear-armed ballistic missiles."

On Iran, the Senate Committee is less certain about the threat, concluding that "possibly" Iran's "capability and intent are combining to form a threat to Canada and the United States that today cannot be as readily dismissed as in 2005." In fact, the Iranian threat has declined markedly since 2005. The Senate report was written in 2014 before the July 2015 Iran nuclear deal, the Joint Comprehensive Plan of Action, but by then prospects for preventing a direct Iranian nuclear threat were actually much further advanced than they were in 2005.

While the extent and imminence of the North Korean threat are frequently overstated, it is still safe to assume that most Canadians would welcome a capacity to intercept and destroy any incoming missile that North Korea might choose to send our way (should it actually acquire that capacity). And few would insist that Canada should not lend a helping hand in developing such a defence if it possibly could. But it doesn't follow that pursuing such a capacity ought therefore to become the priority. At this moment the North Korean threat is potential, not imminent, and there are other much more important and durable responses to that potential threat that should have priority.

North Korea is first and foremost a proliferation challenge, not a defence problem. There is little doubt that North Korea, if left to its own devices, will continue pursuing the development of an intercontinental-range ballistic missile capable of delivering a nuclear warhead that could become a more imminent threat. But why

leave Pyongyang to its own devices? It remains in flagrant violation of its Nuclear Non-Proliferation Treaty (NPT) obligations (the fact it has withdrawn from the treaty does not absolve it from the violations committed while still a member) and in violation of firm commitments it made in earlier rounds of the Six-Party talks (namely, to end its nuclear weapons program and to rejoin the NPT).¹⁵

Canada needs to reassert the importance of responding to rogue state nuclear-armed missile threats through the NPT and its International Atomic Energy Agency verification mechanisms. Indeed, the non-proliferation architecture linked to the NPT, a proven focus of non-proliferation and prevention strategies (of its 185 non-nuclear-weapon state members, North Korea is the only one that has violated the treaty to the extent of acquiring a nuclear weapon), needs to become the top priority for addressing the North Korean challenge. Another important and established avenue that obviously needs to be maintained is preventing the spread of medium and strategic range ballistic missile technologies through the Missile Technology Control Regime.

But the key is nuclear nonproliferation – preventing the spread of nuclear weapons, and reversing the spread where it has already happened. And the good news is that it is proving to be a very successful strategy – Iran being the case in point. Iran remains a challenge, and it is still developing its ballistic missile capabilities, but it has been the international community’s focused program that has been able to ensure that Iran does not now pursue and will not acquire a nuclear weapon. At the moment that prevention strategy is on a positive trajectory and there is now no Iranian nuclear missile threat to Europe or North America, and there will not be one in the foreseeable future. It is thus no longer possible to credibly argue that either European or North American missile defence are warranted by the Iranian threat.

The imperative now is to vigorously apply the same strategy to North Korea. As already noted, North Korea stands in direct violation of the Nuclear Non-Proliferation Treaty and commitments made under the Six-Party talks. Why are these violations not the focus of heightened diplomacy? The Six-Party talks¹⁶ need to be renewed and North Korea needs to be brought back into compliance with the NPT. It is right to call these major challenges, but allowing the emerging North Korean nuclear missile threat to stand and mature, with BMD our primary, or only, response, would be a failure of catastrophic proportions. In such an eventuality, global powers with the means, along with a few of their choice friends, might mount a credible, though far from certain, defence against Pyongyang’s missiles, while the rest of the world stayed unprotected and left to watch as proliferation pressures mounted and other rogue, and not so rogue, states sought to follow North Korea’s example.

It is not an overstatement to say that if our response to North Korea remains focused on ballistic missile defence, rather than on dismantling its nuclear weapons and weapons program, nuclear disarmament will have been dealt a fatal blow. What appetite for nuclear disarmament will there be among the established nuclear powers (there are now eight of them¹⁷) if the international community comes to accept indefinitely a nuclear-armed North Korea? If our collective response to a threatening North Korea is confined to BMD systems, no matter how effective they might yet become, the cost will be a shattering loss of confidence in the global nonproliferation system. If the non-proliferation system cannot effectively deal with a state as poor, dysfunctional, and marginalized as North Korea, who will be prepared to rely on it?

The emerging North Korean threat must be pursued with diligence and urgency, but what is at stake cannot be rescued by trying to build a bigger and better ballistic missile defence system. Ignoring diplomacy, or making it a secondary effort, is already acquiescing to a permanently nuclearized, hence unstable and vulnerable, international order. Ballistic missile defence is not a rational response to the nuclear threat from potential rogue states. Prevention is the only rational response.

Canada has a vital role to play in collaboration with other like-minded states, both in promoting limits on missile defence in the interests of nuclear disarmament and strategic stability, and in implementing nonproliferation and prevention strategies against rogue nuclear powers. That's where the energy and ambition of the new Government in Ottawa needs to be directed.

Not

¹ A bilateral treaty between the US and the Soviet Union, it was an agreement signed in 1972 to severely limit ballistic missile defense and was supported by then Prime Minister Trudeau. The Bush Administration withdrew from it in 2002.

² Steven Chase, "Harper won't rule out Canada joining US missile defence program," *Globe and Mail*, 5 June 2014.

³ Steven Chase, "Harper won't rule out Canada joining US missile defence program," *Globe and Mail*, 5 June 2014.

⁴ "Canada and Ballistic Missile Defence: Responding to the evolving threat," Standing Senate Committee on National Security and Defence, The Hon. Daniel Lang, Chair, The Hon. Romeo A. Dallaire, Deputy Chair. June 2014.

<http://www.parl.gc.ca/Content/SEN/Committee/412/secd/rms/01jun14/home-e.htm>

Following references to the Senate Committee or the Senate report are references to this report.

⁵ "Harper Leaves Door Open For Canada To Join Ballistic Missile Defence Program," The Huffington Post, The Canadian Press, 08 August 2015, The Huffington Post.

⁶ David Pugliese, "Canada examining contribution to US missile defence in Arctic," *Ottawa Citizen*, 17 September 2015. <http://ottawacitizen.com/news/politics/canada-examining-contribution-to-u-s-missile-defence-in-arctic>

⁷ Rob McRae, James R. Mitchell, Stuart A. Beare, Stefanie von Hlatky, and Elinor Sloan, "Canada's International Security and Defence Policy, Centre for International Policy Studies, University of Ottawa, November 2015. Cepi-cips@uottawa.ca

⁸ US Army Maj. Gen. Francis Mahon, "Commentary: On Target with Missile Defense," *DefenseNews*, 27 April 2015. <http://defnews.ly>

⁹ From a 2008 backgrounder for Parliament: "Canada and the United States: The bilateral defence relationship," by Maureen Shields of International Affairs, Trade and Finance Division http://www.parl.gc.ca/content/lop/researchpublications/prb0834_09-e.htm

¹⁰ Aaron Mehta, "Former SecDef Perry: US on 'Brink' of a new nuclear Arms Race," *Defense News*, 03 December 2015. <http://www.defensenews.com/>

¹¹ Aaron Mehta, "Former Sec Def Perry: US on 'Brink' of New Nuclear Arms Race," *Defense News*, 03 December 2015. <http://www.defensenews.com/story/defense/policy-budget/2015/12/03/former-secdef-perry-us-brink-new-nuclear-arms-race/76721640/>

¹² Wu Riyang, "No stability Without Limits on Missile Defence," *Bulletin of the Atomic Scientists*, 24 September 2014. <http://thebulletin.org>

¹³ Wu Rongyang, "No stability Without Limits on Missile Defence," Bulletin of the Atomic Scientists, 24 September 2014. <http://thebulletin.org>

¹⁴ Wu Rongyang, "No stability Without Limits on Missile Defence," Bulletin of the Atomic Scientists, 24 September 2014. <http://thebulletin.org>

¹⁵ China, Japan, North Korea, Russia, South Korea, United States.

¹⁶ Angela Stanzel, "China urges a reboot of Six-Party Talks," Aljazeera, 13 October 2015.

¹⁷ China, France, India, Pakistan, Russia, United Kingdom, United States, plus Israel which continues to neither confirm nor deny its nuclear arsenal..