



Missile Defense and NATO's Lisbon Summit

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Summary

For several years, the United States and NATO have pursued parallel paths to develop a ballistic missile defense (BMD) capability to defend U.S. troops and European populations against potential ballistic attacks from countries such as Iran. At the November 2010 Lisbon Summit, alliance heads of state approved a plan to integrate existing NATO member BMD capabilities as part of the overall alliance defense posture. NATO officials have placed the estimated cost of the new territorial BMD system at 200 million euros (approximately \$260 million), to be borne among all 28 member states over the next 10 years. Industry analysts, however, believe that the cost could be significantly higher. The Obama Administration's program to deploy a regional BMD capability in Europe, called the Phased Adaptive Approach (PAA), will now proceed with the NATO effort on an integrated basis.

The Lisbon Summit agreement is significant in that NATO officials identified territorial missile defense as a core alliance objective and adopted a formal NATO program in response. The agreement further outlined the development of territorial missile defense through an expansion of NATO's ALTBMD (Active Layered Theatre Ballistic Missile Defense) program and its integration with the U.S. Phased Adaptive Approach. As a first step, alliance leaders tasked NATO staff "with developing missile defence consultation, and command and control arrangements" for NATO's March 2011 Defense Ministerial. The next step will be to draft an implementation plan for missile defense for the June 2011 Defense Ministers meeting.

NATO decision makers took another significant step at Lisbon during the NATO-Russia Council (NRC) meeting, at which Russian President Dmitry Medvedev endorsed cooperation between the alliance and Moscow in the area of missile defense. Many observers believe that Russia's pledge to participate removes a major stumbling block to the development of a European territorial missile defense program.

Analysts have noted the distinct advantages for NATO in adopting missile defense as a core alliance objective. Some of these include increased protection against potentially devastating ballistic missile attacks into Europe, strengthened relations with the United States, economic benefits that might flow from this effort, and opportunities to engage Russia constructively. Some have also questioned, however, whether this alliance effort is really necessary or whether such an effort is technologically feasible. Some are also concerned over the degree to which the United States will have command and control decision-making authority relative to others, and whether the combined NATO-U.S. programs might cause problems with how Russia views potential challenges to its own nuclear deterrent forces.

Congress has taken an active interest in missile defense, and has largely given bipartisan support to the Bush and Obama Administrations' plans to guard against the threat of Iranian ballistic missiles through the deployment of radar and interceptors in Europe. NATO's adoption of such a capability, and its close integration with the U.S. Phased Adaptive Approach, also will likely raise several issues that Members of Congress may choose to address, including command and control protocols, technology transfer, participation by Russia, and the extent to which European allies contribute to the common effort.

This report may be updated as necessary.

Contents

Background: U.S. Ballistic Missile Defense in Europe	1
NATO and Ballistic Missile Defense	2
Background	2
The Lisbon Summit.....	5
Possible Advantages of and Challenges to the Planned NATO Territorial Missile Defense.....	6
Russian Cooperation	8
European NATO Member State BMD Capabilities	9
Current Legislation	10

Contacts

Author Contact Information	11
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At the NATO Lisbon Summit (November 19-20, 2010), alliance heads of state approved a plan to build a territorial ballistic missile defense capability and integrate it with a U.S. initiative to deploy a European-based missile defense system. NATO officials stated that this new alliance capability, which has been under consideration for nearly a decade, is expected to cost approximately 200 million euros (\$260 million), borne among all 28 member states, over the next 10 years. Other analysts, however, project a much higher cost.

Congress has taken an active interest in missile defense, and there has largely been bipartisan support for the Bush and Obama Administrations' plans to guard against the threat of Iranian ballistic missiles through the deployment of radar and interceptors in Europe. NATO's adoption of such a capability, and its close integration with the U.S. Phased Adaptive Approach, also will likely raise several issues that Members of Congress may address, including command and control protocols, technology transfer, participation by Russia, and the extent to which European allies contribute to the common effort. This report provides background on this issue, including steps taken toward missile defense cooperation between the alliance and Russia.¹

Background: U.S. Ballistic Missile Defense in Europe

The United States has been developing missile defense systems for decades.² The focus at the early stages of the Reagan Administration's program was to protect against nuclear-armed ballistic missiles from the Soviet Union. Over the past decade, the aim has been to neutralize the emerging ballistic missile threat from rogue states such as North Korea and Iran. In the case of the former, the Pentagon deployed interceptors in Alaska and California. In response to Iran's continued development of its ballistic missile program, the Bush Administration determined that a so-called "third site" should be established on the European continent, and in 2002 began informal discussions and consultations with NATO allied states in Central and Eastern European NATO allies. In addition, the Bush Administration sought to have a limited missile defense system endorsed by NATO and adopted as an alliance capability.

In January 2007, the Bush Administration launched formal negotiations with Poland and the Czech Republic on a plan to deploy by 2013 a ground-based mid-course defense (GMD) element in Europe as part of the global U.S. Ballistic Missile Defense (BMD) capability. The system, intended to guard against a possible ballistic missile threat from Iran, would have included 10 interceptors in Poland, an X-band tracking radar in the Czech Republic, and another radar that would have been deployed closer to Iran. This proposed plan raised foreign policy challenges in Europe; some allies objected that the proposal unnecessarily provoked Russia, which strongly criticized the plan, while others indicated that Washington's bilateral approach undermined NATO solidarity. In mid-2008, the United States negotiated and signed agreements with Poland and the Czech Republic, but for various reasons those accords were not ratified by the end of the Bush Administration.

¹ For additional background information, see CRS Report RL34051, *Long-Range Ballistic Missile Defense in Europe*, by Steven A. Hildreth and Carl Ek.

² CRS Report RS22120, *Ballistic Missile Defense: Historical Overview*, by Steven A. Hildreth.

In September 2009, based on new threat assessments, the Obama Administration announced plans to cancel the Bush plan and instead deploy a regional BMD capability in Europe. In the near term, this new system, called the Phased Adaptive Approach (PAA), would be based on the expansion of existing BMD sensors and interceptors, such as the Navy's Aegis BMD system.³ Although the Defense Department has expressed high confidence in the capabilities of existing systems such as the Aegis BMD, some observers remain skeptical about the prospective effectiveness of the PAA.

The Administration states that the PAA will continue to evolve, and will be expanded over the next decade to include BMD capabilities against medium- and long-range Iranian ballistic missiles. The Administration also expressed hope that the PAA would be adopted by NATO as an alliance-wide BMD capability, and that Russia would play a role. The Romanian and Polish governments agreed to host facilities for the new system; plans currently call for the installation of land-based interceptors in the two countries by 2015 and 2018, respectively. Turkey has been mentioned as a possible site for U.S. missile defense radar.⁴

Russia, although initially positive over the cancellation of the Bush Administration's plan, later found reason to criticize the Obama plan, reviving the argument that it would compromise Russia's nuclear forces. Regarding possible NATO cooperation, Russian Foreign Minister Sergei Lavrov stated in January 2010 that Russia had "told the U.S. and NATO that it is necessary to start everything from scratch—to jointly analyze the origin and types of missile proliferation risks and threats."⁵ In the ensuing months, however, the Russian government appeared to take a more open stance toward the program. In addition, analysts maintain that eventual Russian acceptance of—and possible participation in—the PAA system would be an important consideration for some allied governments as they decided whether to accept adoption of an alliance territorial missile defense.

NATO and Ballistic Missile Defense

Background

Over the past decade, NATO has been considering two missile defense efforts, one tactical, the other strategic or territorial. The first, referred to as the Active Layered Theater Ballistic Missile Defense (ALTBMD), is designed to defend NATO-deployed forces against short- and medium-range ballistic missiles. This capability is expected to be fielded in several phases and will consist of lower- and upper-tier missile defense systems, battle management, communications, command and control and intelligence (BMC³I), early warning sensors and radars, and various interceptors. Individual NATO member states will provide the sensors and weapon systems, while NATO will

³ CRS Report RL33745, *Navy Aegis Ballistic Missile Defense (BMD) Program: Background and Issues for Congress*, by Ronald O'Rourke.

⁴ "NATO Invites Russia To Join Anti-Iranian Missile Shield In Historic Move For Alliance," *Associated Press*, November 20, 2010.

⁵ "Putin Plays MD Card, Placates Hardliners," *Oxford Analytica*, December 29, 2009; "Russia to Continue Offensive Arms to Balance U.S. - Putin," *RIA Novosti*, December 29, 2009; "U.S. Missile Shield Holding Up Nuclear Deal: Putin," *Reuters*, December 29, 2009; "U.S. Rejects Russia Shield Concerns," *BBC News*, December 29, 2009.

develop the BMC³I component and integrate the various systems into a coherent, NATO-wide Theater Missile Defense (TMD) capability.⁶

NATO initiated ALTBMD feasibility studies in 2001. Alliance leaders then agreed to expedite work on a proposed system at the 2004 Istanbul Summit and later awarded the first major contract in 2006 to develop a TMD test bed in The Hague; this became operational in 2008.⁷ The test bed reportedly demonstrated the feasibility of integrating the various national systems and allowing NATO in June 2010 to agree to field an interim operational capability, which will provide military planners the tools to design, develop, and test for an optimal NATO ALTBMD capability. NATO expects the system to be operational by 2018.

The alliance's deliberations concerning strategic or territorial missile defense have evolved more slowly. A feasibility study of NATO territorial missile defense was called for at the 2002 Prague Summit and was completed in 2005. In the final communiqué of their 2006 Riga summit, NATO leaders stated that the alliance study had concluded that long-range BMD is "technically feasible within the limitations and assumptions of the study," and called for "continued work on the political and military implications of missile defence for the Alliance including an update on missile threat developments." Missile defense proponents contended that the U.S. facilities intended for placement in Eastern Europe under the Bush Administration's plan would be a good fit—and therefore not inconsistent with—any future NATO missile defense system. However, other policymakers recommended that the establishment of any anti-missile system in Europe should proceed solely under NATO auspices rather than on a bilateral basis with just two NATO partners. A Bush Administration official declared that "the more NATO is involved in [GMD], the better."⁸

Some observers suggested that the Bush Administration chose not to work primarily through NATO because consensus agreement on the system was unlikely. However, in mid-June 2007, alliance defense ministers did agree to conduct a study of a complementary "bolt-on" anti-missile capability that would protect the southeastern part of alliance territory that would not be covered by the planned U.S. interceptors. Bush Administration officials interpreted the move as an endorsement of the U.S. plan and an adaptation of NATO capabilities to fit the proposed U.S. system. In addition, former NATO Secretary General Jaap de Hoop Scheffer stated "The roadmap on missile defense is now clear... It's practical, and it's agreed by all."⁹

The Bush Administration hoped that NATO would adopt its missile defense as an alliance capability at its 2008 summit meeting, held April 2-4 in Bucharest, Romania.¹⁰ The Summit Declaration stated that the alliance acknowledged that ballistic missile proliferation poses an

⁶ The North Atlantic Council (NAC) established the NATO Active Layered Theater BMD Program Management Organization (PMO) in 2005 to oversee the ALTBMD program. Other key NATO bodies involved in this program include the NATO Consultation, Command and Control Agency and the NATO Air Command and Control System Management Agency. The PMO also provides technical support to policy discussions of broader missile defense issues.

⁷ A "test bed" is a controlled laboratory setting designed to rigorously test and evaluate large development projects.

⁸ This program should be distinguished from the ALTBMD theater missile defense system intended to protect deployed forces, which the alliance has already approved. See Riga Summit Declaration. NATO web page. <http://www.nato.int/docu/pr/2006/p06-150e.htm> Missile Defense and Europe. *Foreign Press Briefing*. U.S. Department of State. March 28, 2007.

⁹ NATO Considers Missile Defenses For Southeastern Flank In Tandem With U.S. Shield. *Associated Press*. June 14, 2007. U.S. Wins NATO Backing On Missile Defense. *New York Times*. June 15, 2007.

¹⁰ NATO Debates BMD Ahead Of April Bucharest Summit. *WMD Insights*. April, 2008.

increasing threat. It further affirmed that missile defense is part of a “broader response,” and that the proposed U.S. system would make a “substantial contribution” to the protection of the alliance. It declared that the alliance is “exploring ways to link [the U.S. assets] with current NATO efforts” to couple with “any future NATO-wide missile defense architecture.” The declaration also directed the development, by the time of the 2009 summit, of “options” for anti-missile defense of any alliance territory that would not be covered by the planned U.S. installations. These options would be prepared “to inform any future political decision.” In addition, the document declared support for ongoing efforts to “strengthen NATO-Russia missile defense cooperation,” and announced readiness to look for ways to link “United States, NATO and Russian missile defense systems at an appropriate time.” Finally, alliance members stated that they were “deeply concerned” over the “proliferation risks” implied by the nuclear and ballistic missile programs of Iran and North Korea, and called upon those countries to comply with pertinent UN Security Council resolutions.¹¹

The Summit Declaration was interpreted as an endorsement of the Bush Administration’s missile defense project; Secretary of State Condoleezza Rice hailed the statement as a “breakthrough document.” Concerning the question of whether ballistic missiles from rogue states were a threat, National Security Advisor Stephen Hadley declared, “I think that debate ended today.”¹² Representative Ellen Tauscher, then Chair of the House Armed Services Subcommittee on Strategic Forces, welcomed “NATO’s acknowledgment of the contribution that the long-range interceptor site could make to Alliance security” and to make “cooperation with NATO a cornerstone of its missile defense proposal.”¹³

In the final communiqué of their December 3, 2008, meeting, the foreign ministers of NATO member states reiterated the language on missile defense that had been included in the earlier Bucharest Summit Declaration, while also noting “as a relevant development the signature of agreements by the Czech Republic and the Republic of Poland with the United States regarding those assets.” The communiqué also called upon Moscow “to refrain from confrontational statements, including assertions of a sphere of influence, and from threats to the security of Allies and Partners, such as the one concerning the possible deployment of short-range missiles in the Kaliningrad region.” The latter statement was likely included at Warsaw’s insistence.¹⁴ However, as noted above, cooperation on missile defense with Russia has always been a key condition for some allies’ support for a NATO-based missile defense system.

NATO’s 2009 summit was held in Strasbourg, France, and Kehl, Germany, in early April. The Summit Declaration “reaffirmed the conclusions of the Bucharest Summit about missile defence,” but noted that more work should be done. Specifically, it recommended that “missile threats should be addressed in a prioritised manner” that addressed “the level of imminence of the threat and the level of acceptable risk.” It tasked the Council in Permanent Session with studying and

¹¹ NATO Summit Declaration. April 3, 2008 <http://www.nato.int/docu/pr/2008/p08-049e.html>.

¹² NATO Backs U.S. Missile Shield. *Los Angeles Times*. April 4, 2008. NATO Endorses Europe Missile Shield. *New York Times*. April 4, 2008.

¹³ Opening Statement, Chairman Ellen O. Tauscher, Strategic Forces Subcommittee, Hearing on the FY2009 Budget Request for Missile Defense Programs, April 17, 2008.

¹⁴ Final communiqué. Meeting of the North Atlantic Council at the level of Foreign Ministers held at NATO Headquarters, Brussels. December 3, 2008. NATO website: <http://www.nato.int/docu/pr/2008/p08-153e.html> Poland Wants NATO To Declare Russian Placement Threat As Unacceptable – Sikorski. *Poland Business Newswire*. December 3, 2008.

making recommendations on “architecture alternatives,” including usage of the ongoing ALTBMD program.¹⁵

In December 2009, NATO foreign ministers commented favorably on the Obama Administration’s revised missile defense plan, and reiterated the alliance’s willingness to cooperate with Russia on the issue, stating that they reaffirmed “the Alliance’s readiness to explore the potential for linking United States, NATO and Russian missile defence systems at an appropriate time. The United States’ new approach provides enhanced possibilities to do this.” The Russian media reported that NATO and Russia had formed a working group to study the issue. In a speech shortly thereafter, NATO Secretary General Anders Fogh Rasmussen said that he hoped the alliance and Russia would have a joint system by 2020. In March 2010, Rasmussen touted missile defense as an “opportunity for Europe to demonstrate again to the United States that the allies are willing and able to invest in our common defense.”¹⁶

In July 2010, the NATO Secretary General stated that he hoped not only to have the Obama Administration’s PAA adopted as an additional alliance capability, but also to have Russia participate with NATO in missile defense. Partnering with Russia would, in Rasmussen’s words, “demonstrate that missile defence is not against Russia, but to protect Russia.”¹⁷ In September, Russia was invited to attend the Lisbon summit meeting in November; Rasmussen indicated he hoped that cooperation on missile defense could be taken up by the NATO-Russia Council. Although some Russian officials continued to express misgivings about the U.S./NATO missile defense plans, on October 20, 2010, President Medvedev announced that he would attend the meeting in Lisbon.¹⁸

The Lisbon Summit

At their November 19-20 summit in Lisbon, NATO heads of state and government officially identified territorial missile defense as a core alliance objective, and adopted it as a NATO program in response to the threat of ballistic missile proliferation by potentially unfriendly regimes. Neither NATO’s New Strategic Concept nor the Summit Declaration identify a particular state or region as a possible ballistic missile threat. Reports state that this omission was at the insistence of Turkey, which is seeking to maintain stable relations with Iran.¹⁹

The Summit Declaration stated that “Missile defence will become an integral part of our overall defence posture,” and that the program will be “based on the principles of the indivisibility of

¹⁵ Strasbourg/Kehl Summit Declaration. April 4, 2009. NATO Web page. <http://www.formin.fi/Public/Print.aspx?contentid=162749&nodeid=15145&culture=en-US&contentlan=2>

¹⁶ Final Statement. Meeting of the North Atlantic Council at the level of Foreign Ministers held at NATO Headquarters, Brussels. December 4, 2009. NATO website: http://www.nato.int/cps/en/natolive/news_59699.htm?mode=pressrelease
Russia, NATO Form Working Group On Missile Defence – Rogozin. *RIA Novosti*. December 5, 2009. Europe Promises U.S. More Substance. *New York Times*. March 30, 2010.

¹⁷ “Trust, But Make Military Plans/NATO and Russia,” *The Economist*. July 31, 2010. For additional information, see “A Primer On transatlantic Missile Defense,” by Patricia A. Puttmann and Robert Bracknell, The Atlantic Council. October 2010.

¹⁸ “Russia Voices Skepticism Over NATO Missile Shield,” *Agence France Presse*. October 15, 2010. “Russia Accepts Invitation To Attend NATO Summit Meeting,” *New York Times*. October 20, 2010.

¹⁹ “Turkey Seeks To Balance National, Regional Interests on Missile Shield,” *Today’s Zaman* [Turkish online news service], October 16, 2010. “NATO Leaders Agree On Missile Defense System To Cover All Members,” *New York Times*, November 20, 2010.

Allied security and NATO solidarity, equitable sharing of risks and burdens, as well as reasonable challenge, taking into account the level of threat, affordability and technical feasibility, and in accordance with the latest common threat assessments agreed by the Alliance.”²⁰ It outlined the development of territorial missile defense through an expansion of the existing ALTBMD program and its integration with the U.S. Phased Adaptive Approach. As a first step, alliance leaders tasked NATO staff with developing “missile defence consultation, command and control arrangements” in time for a March 2011 Defense Ministers meeting. The next step is the drafting of an action plan for implementation of missile defense in time for a subsequent Defense Ministers session in June 2011.

Missile defense also was highlighted in the alliance’s new Strategic Concept, which revises its last iteration of 1999. The strategic blueprint identified ballistic missile proliferation as a “real and growing threat,” and stated that protection of alliance territory against missile attack was “a core element of our collective defence....” It also expressed a determination to “enhance the political consultations and practical cooperation with Russia in areas of shared interests, including missile defence.”²¹

In October 2010, Secretary General Rasmussen stated that the territorial missile defense plan would cost an estimated 200 million euros (about \$260 million) over 10 years. This amount was characterized as an *additional* expenditure for upgrading the alliance’s existing ALTBMD program, which is expected to cost approximately 800 million euros (approximately \$1 billion) over 14 years.²² The outlays for both programs are to be borne among all 28 member states, and will be funded from the common NATO budget. In addition, individual countries will be responsible for supporting the deployment of their own ship- or land-based interceptors and sensors. However, in December 2010, a NATO-mandated industry advisory group reportedly concluded in an internal study that the cost could far exceed the early estimate. *Inside the Army* quoted the group’s report as stating that “[w]hile NATO publicly envisages relatively benign cost for currently assumed territorial missile defence functionalities as add-on to the [existing theater-level missile defense] programme, it is obvious that a new, open [command-and-control] architecture approach will require a significant investment by NATO.” The alliance, however, has not yet made public actual cost estimates.²³

Possible Advantages of and Challenges to the Planned NATO Territorial Missile Defense

The Bush and Obama Administrations both actively sought NATO involvement in a common missile defense system, but both Administrations were willing to pursue such a program without NATO, as they judged the threat that would be posed by Iran acquiring a ballistic missile capability to be sufficiently serious to warrant such a step. After somewhat obliquely endorsing

²⁰ NATO Lisbon Summit Declaration. November 20, 2010. http://www.nato.int/cps/en/SID-0C080A7B-E8E5719F/natolive/official_texts_68828.htm?mode=pressrelease

²¹ Active Engagement, Modern Defence. “Strategic Concept For the Defence and Security of The Members of the North Atlantic Treaty Organisation,” November 20, 2010, <http://www.nato.int/lisbon2010/strategic-concept-2010-eng.pdf>.

²² “NATO Needs a Missile Defense,” by NATO Secretary General Anders Fogh Rasmussen, *New York Times*, October 12, 2010.

²³ “NATO Industry Report Says Missile Shield Cost Would Be ‘Significant,’” *Inside the Army*, December 6, 2010.

missile defense in successive summit declarations, NATO decided to adopt the system at the Lisbon summit. One former NATO official has argued that the alliance was responding to a *fait accompli* by the United States. He noted that the U.S. plan to deploy missile defense facilities was a unilateral initiative that would have provided protection to Europe, thereby presenting “a fundamental challenge to NATO, detracting from its overall responsibility for collective defense and raising acutely uncomfortable issues, such as the prospect of U.S.-commanded defenses operating in parallel with Article 5 defense of NATO.”²⁴

However, some analysts have also argued that significant positive factors help explain why alliance members were motivated to accept the proposal to develop a common missile defense system.²⁵ Some of these arguments include:

- In a global environment in which more than 30 states possess or are seeking to acquire ballistic missiles, Europe would enjoy relatively low-cost protection from the security threat posed by rogue states.
- Cooperation would help strengthen transatlantic relations, particularly in the context of the contentious debate over the future of NATO's mission in Afghanistan.
- In a time when U.S. forces are being redeployed within and away from Europe and the presence of U.S. tactical nuclear weapons is being debated, territorial missile defense is a tangible symbol of the continued American commitment to the defense of the continent; this is particularly important for new member states.
- It is a natural step for NATO to proceed from defending deployed forces against missile attacks, as it currently does with ALTBMD, to protecting alliance populations and territory.²⁶
- NATO member state participation in a missile defense project has the potential to confer economic benefits, as European defense industries would gain from investment and technology-sharing.
- Missile defense opens an important potential avenue of cooperation with Russia. In a September 2010 speech in Rome, Secretary General Rasmussen cautioned against keeping Russia “outside the tent looking in,” and urged the creation of an “inclusive missile defence system” that would “reinforce a virtuous circle” with regard to Moscow.²⁷

Alternatively, observers have noted that the adoption of a missile defense capability may raise potential problems:

- Some have questioned whether or not territorial missile defense is indeed technologically feasible.

²⁴ NATO Missile Defense: Is Europe Ready? By Edgar Buckley. Atlantic Council. International Security Program Strategic Advisors Group. November 2010.

²⁵ NATO and Territorial Missile Defense: A ‘No Brainer’ or More Questions Than Answers? By Simon Lunn. Atlantic Council. International Security Program Strategic Advisors Group. November 2010.

²⁶ “The Case For a NATO Missile Defense,” By Ivo Daalder, U.S. Ambassador to NATO. *New York Times*, November 15, 2010.

²⁷ “NATO Chief Urges Russia’s Inclusion Under Security ‘Tent,’” *Agence France Presse*, September 17, 2010.

- Member states reportedly hold varying views about the effect that a missile defense system might have on the alliance's nuclear deterrence strategy. The French government, for example, initially was concerned "that missile defense would undermine France's nuclear posture."²⁸
- In the wake of the global financial crisis, spending constraints, particularly of European allies, may raise future burden sharing issues.
- Concerns have been expressed over command and control arrangements—particularly the degree to which Washington would exercise final say in the matter.
- Russia may reverse its support if it becomes convinced that the program could compromise the deterrent value of its own nuclear forces.

Russian Cooperation

The NATO-Russia Council (NRC) meeting, held in Lisbon in conjunction with the NATO summit, endorsed cooperation between the alliance and Moscow in the area of missile defense. The NRC Joint Statement declared that

[w]e agreed to discuss pursuing missile defence cooperation. We agreed on a joint ballistic missile threat assessment and to continue dialog in this area. The NRC will also resume Theater Missile Defence Cooperation. We have tasked the NRC to develop a comprehensive Joint Analysis of the future framework for missile defence cooperation. The progress of this Analysis will be assessed at the June 2011 meeting of NRC Defence Ministers.²⁹

The NATO-Russia accord did not constitute immediate full collaboration; rather, Russia approved the involvement of Russian technicians in the planning and development of the system. President Medvedev cautioned that missile defense cooperation must eventually amount to "a full-fledged strategic partnership between Russia and NATO." However, a State Department official emphasized that, although Russia would be involved in the program, the United States would "continue to reject any constraints or limitations on our missile defense plans." In a televised interview with Larry King, Prime Minister Putin indicated that if Russia perceives that the PAA/NATO missile defense program is compromising Moscow's nuclear deterrent, "Russia will just have to protect itself using various means, including the deployment of new missile systems to counter the new threats to our borders...."³⁰

Analysts have argued that, despite its often-voiced reservations, Russia may have believed itself compelled to cooperate on missile defense; because Russia could "neither block the MD's [missile defense] emergence in Europe nor restrict its capacity by means of treaty constraints, the

²⁸ Missile Defense In NATO: A French Perspective. By Bruno Gruselle. Atlantic Council. International Security Program Strategic Advisors Group. November 2010.

²⁹ NATO-Russia Council Joint Statement. November 20, 2010. NATO website: http://www.nato.int/cps/en/natolive/news_68871.htm?selectedLocale=en

³⁰ "NATO Invites Russia To Join Europe Missile Shield," *Washington Post*, November 20, 2010. "Russia To Aid NATO On Anti-Missile Network In Europe." *Washington Post*, November 20, 2010. Europe and Eurasia: The Obama Administration's Efforts To Implement the European Phased Adaptive Approach. Testimony before the House Armed Services Subcommittee on Strategic Forces by U.S. Deputy Assistant Secretary of State Frank A. Rose. December 2, 2010. Transcript of TV Interview Vladimir Putin to CNN's Larry King. *RIA-Oreanda News*. December 2, 2010.

only way ... to influence its shape is to join the MD programme on as favourable terms as can possibly be snatched.”³¹ On December 20, 2010, Russian Foreign Minister Lavrov indicated that Russian acceptance of and participation in NATO missile defense would be fundamental to the success of such a system—and for improved Russia-NATO relations.³² Although details as to how Russia might cooperate technologically remain to be seen, it is clear that NATO and the United States want to find ways to engage Russia in partnership on BMD.

In an address to the nation on November 30, Russian President Medvedev buttressed his case for striking a deal with Washington on missile defense. The Russian leader emphasized that the absence of such an agreement might lead to a new arms buildup—one that a financially-strapped Russia could ill afford: “We will either come to terms on missile defense and form a full-fledged joint mechanism of cooperation or ... we will plunge into a new arms race and have to think of deploying new strike means, and it’s obvious that this scenario will be very hard.” A Russian political analyst noted that “we know that it was the arms race that led to the disintegration of the Soviet Union. ... Russia is not ready financially for a new arms race.”³³

European NATO Member State BMD Capabilities

Experts contend that several NATO member states will be able to contribute to the PAA, and that future cooperation would not be restricted simply to offering land for interceptors and radar. Allies will be able to provide air-, land- or sea-based platforms for sensors and for “shooters.” Initially, for example, PAA will rely upon the U.S. Navy’s sea-based Aegis Ballistic Missile Defense System,³⁴ currently designed to take out short- and medium-range ballistic missiles. Some NATO member states have already deployed Aegis; for example, Spain has equipped four of its frigates with the U.S. Aegis combat system and associated SPY-1D radar, and has plans for building additional ships. Eventually, Aegis may be deployed aboard vessels of other NATO allies. In time, more advanced versions of the SM-3 interceptor missiles would be based on land; Poland and Romania have already agreed to host the interceptors, which can also be transported in the event that the source of threat changes location. Rather than using an X-Band radar sited in the Czech Republic, PAA envisions using radar and sensors placed in closer proximity to the threat.³⁵

Some European NATO countries already have acquired their own BMD capabilities and have expressed varying degrees of interest in participating with other countries. For instance, Italy and Germany have partnered with the United States to develop and deploy MEADS (Medium Extended Air Defense System), a follow-on to the Patriot air and missile defense system. France, Italy, and the UK have joined together to develop an air and potential missile defense capability comparable to the Patriot system.

³¹ Prospects For Joint Russia-NATO Missile Defence System. By Beata Gorka-Winter, Robert Smigielski. Bulletin of the Polish Institute of International Affairs. No. 129 (205). October 29, 2010.

³² “Success of Russia-NATO Relations Improvement Process Not Guaranteed - Lavrov Tells Interfax,” *Interfax Russia and CIS General Newswire*. December 20, 2010.

³³ “Russian President Warns of New Arms Race,” *Washington Post*, December 1, 2010. p. A8.

³⁴ For additional information, see CRS Report RL33745, *Navy Aegis Ballistic Missile Defense (BMD) Program: Background and Issues for Congress*, by Ronald O'Rourke.

³⁵ For additional background information, see *A Primer on Transatlantic Missile Defense*. Patricia A. Puttmann and Robert Bracknell. International Security Program. The Atlantic Council. October, 2010.

The UK and Denmark have for years hosted U.S. missile early warning radars in their countries (Greenland, in Denmark's case). Germany, Spain, Greece and the Netherlands have purchased American Patriot missiles, and a Patriot battery is deployed in Poland until 2012. Several countries also participate in varying degrees with U.S. sea-based BMD efforts, such as the UK, Denmark, and the Netherlands. U.S. Aegis BMD is working with NATO's ALTBMD effort as well.

Current Legislation

The House FY2011 National Defense Authorization Act (H.R. 5136) would place restrictions on the Administration's PAA comparable to those placed on the Bush plan. Among other things, H.R. 5136 would limit the procurement or deployment in Europe of U.S. defenses against medium- and long-range ballistic missiles until the Secretary of Defense certifies that the proposed technology is operationally effective and based on realistic flight testing. It would further limit the use of funds for BMD deployment until the host government has ratified any necessary agreements and until 45 days after Congress has received a report on alternative BMD systems for Europe required by the FY2010 National Defense Authorization Act (P.L. 111-84).

H.R. 5136 would also declare it to be U.S. policy that future versions of the Standard missile (SM), when deployed to protect Europe under the PAA, would also be able to intercept long-range ballistic missiles launched from Iran at the United States (Section 224). The House bill would also express the sense of Congress that the PAA is not restricted by New START,³⁶ the U.S.-Russian treaty designed to reduce further the two sides' strategic offensive nuclear weapons.

The Senate FY2011 National Defense Authorization Act (S. 3454) similarly declares it the sense of Congress that a future version of the Standard missile be able to intercept long-range Iranian ballistic missiles launched at the United States. The bill also declares that New START imposes no restrictions on developing or deploying effective U.S. BMD systems.

The Senate defense authorization bill was scheduled for floor debate in late November 2010. Senator Kyl proposed an amendment (S.Amdt. 4634) that would set U.S. policy toward the Phased Adaptive Approach (PAA). This amendment could be viewed as complementing existing U.S. law (the National Missile Defense Act of 1999; P.L. 106-38; 113 Stat. 205; 10 U.S.C. 2431), which guides development and deployment of an effective national missile defense (NMD) against limited ballistic missile attacks on the territory of the United States. In general, S.Amdt. 4634 would largely support current Administration plans and objectives to evolve BMD coverage of NATO Europe and the United States over the course of this decade, as well as supporting associated U.S. arms control and foreign policy objectives.

On December 22, 2010, the House and Senate Armed Services Committees approved a Joint Explanatory Statement, the practical equivalent of a conference report. The Explanatory Statement includes:

- the Senate provision that expresses the sense of Congress on BMD issues, particularly related to the European PAA;

³⁶ For background on this issue, see CRS Report R41251, *Ballistic Missile Defense and Offensive Arms Reductions: A Review of the Historical Record*, by Steven A. Hildreth and Amy F. Woolf.

- an amendment to the House provision clarifying that limits on the availability of funds for construction and deployment apply to land-based interceptors of the European PAA until any host nation approves the required basing and deployment agreements, and a provision granting a national security waiver authority to the Secretary of Defense regarding those limitations. The Statement further notes this provision is not intended to impede or delay the successful implementation of the European PAA, nor is it intended to limit the production of missile defense interceptors for ground- and flight-testing, or production validation;
- the House provision that limits funds for construction and deployment of the land-based portion of the European PAA until after Congress receives an independent assessment of the operational and cost-effectiveness of the PAA as required by P.L. 111-84; and
- a provision that authorizes a shared early warning program with the Czech Republic.³⁷

President Obama signed the FY2011 National Defense Authorization Act (H.R. 6523) into law (P.L. 111-383) on January 7, 2011.

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³⁷ In May 2010, after President Obama submitted the FY2011 budget request, the Department of Defense requested the authority to carry out a shared ballistic missile early warning program with the Czech Republic. Because the request came to Congress late, neither the House bill nor the Senate committee-reported bill contained such a provision, which was included in the Joint Explanatory Statement.