



UK Participation in US Missile Defence

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The UK has housed elements of the US ballistic missile early warning system at RAF Menwith Mill and RAF Fylingdales in North Yorkshire since the 1950s and 1960s respectively.

In 2003 the British Government agreed to a US request to upgrade the early warning radar facility at RAF Fylingdales as part of its plans to establish a ballistic missile defence system. That decision subsequently opened up a wider debate on future participation by the UK in any missile defence system, including the possibility of housing ground-based interceptors on UK soil.

In February 2007 then Prime Minister, Tony Blair, suggested that any further decisions to participate in missile defence would be reported to, and likely debated in, Parliament. In July 2007 the Government announced that it had agreed to the upgrade of US facilities at RAF Menwith Hill as part of the BMD architecture. The lack of a Parliamentary debate over this decision has, however, met with considerable criticism both from within the House and from other commentators.

This note examines the current basing of US missile early warning facilities in the UK, offers a brief outline of the UK's own assessment of the missile defence threat and the UK's level of participation in the US missile defence system.

Detailed information on the nature of the US BMD plans, and recent developments, is available in the following Library papers:

SN/IA/4378, [Ballistic Missile Defence: Recent Developments](#)

SN/IA/2972, [Ballistic Missile Defence: Latest Developments](#)

RP03/28, [Ballistic Missile Defence](#), 26 March 2003

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1 US Basing in the UK

RAF Menwith Hill and RAF Fylingdales in North Yorkshire have both formed part of the US ballistic missile early warning system since the 1950s and 1960s respectively. They have, however, never housed ground-based interceptors as part of that system. The basing of US nuclear weapons in the UK is also a separate issue.

1.1 RAF Fylingdales

In February 1960 the then Secretary of State for Air announced that the British and American governments had reached an agreement on the basing and operation of a ballistic missile early warning station in the UK. In a Statement to the House he outlined:

With your permission, Mr Speaker, and that of the House, I should like to make a statement about a ballistic missile early warning station.

Her Majesty's Government and the Government of the United States of America have reached agreement about setting up and operating a ballistic missile early warning station in the United Kingdom. This agreement is in support of the North Atlantic Treaty. The text of the Agreement is available as a White Paper in the Vote Office.

The station will be sited on Government-owned land at Fylingdales Moor in Yorkshire. It will give early warning of ballistic missile attacks on the United Kingdom. The station will also be the third in a chain giving early warning of ballistic missile attacks on the North American Continent. Thus the two countries have a community of interest in its erection and operation. In providing additional protection for Western strategic

deterrent forces, the station will contribute substantially to the security of the entire N.A.T.O. area.

The station will be commanded and operated by the Royal Air Force. The information it obtains will be available simultaneously to operations centres in the United Kingdom and the United States. The Supreme Allied Commander, Europe, will receive the warning generated by the system; and the United Kingdom will also have access to information provided by the other stations in the chain.

The United States will provide and install the radars for the station, and pay for the communications required to link the station to the rest of the system. The United Kingdom will provide the land, erect the buildings, and provide communications required to link the station with our own authorities.

For the first five years of operation, the cost of spares for the radars and other technical equipment will be borne by the United States Government, and the cost of the maintenance of this equipment on the site will be borne by the United Kingdom Government. The responsibility for these costs after the end of this period will be a matter for later review. The other running costs of the station will be borne by the United Kingdom Government.

The capital cost of the station to this country is expected to be about £8 million. The capital cost to the United States is expected to be about £35 million.

The Government greatly regret that the station has to be in part of a National Park. But the topographical, geographical, and the operational criteria governing the choice of site are extremely stringent, and, after detailed examination, the Government are satisfied that there is no other suitable site in the whole country. The Fylingdales site comprises about four square miles of land, owned mainly by the War Office and partly by the Minister of Agriculture on behalf of the Forestry Commission, and is within a larger area which has been used by the War Office for military training. As the site is in a National Park, the Government undertake to demolish the buildings if at any time in the future the station is no longer required. The Air Ministry will discuss with the local authorities, and with the National Parks Commission and other amenity bodies, the detailed siting arrangements and measures to be taken to minimise the effect on the landscape.¹

The detailed arrangements for the establishment of the site at Fylingdales were subsequently set down in an Exchange of Notes between the British Foreign Secretary and the American Ambassador to the UK on 15 February 1960 (Cm 946, Session 1959-1960).² Under that agreement the US provides the specialist equipment at Fylingdales while the UK operates and maintains the station. The site became operational in 1963.

In 1992 the original “golf ball” structures were replaced with 360° coverage, phased-array radar. In December 2007 there were 13 US civilian contractors, one US military officer, 79 RAF personnel, 162 UK civilian contractors, 105 Ministry of Defence Police and 37 UK civilians based at RAF Fylingdales.³

¹ HC Deb 17 February 1960, c1259-60

² An electronic copy of this command paper is available via the *House of Commons Parliamentary Papers* database on the Library intranet: <http://hcl1.hclibrary.parliament.uk/external/online/hcpp.asp>. A copy has also been placed in the House of Commons Library as DEP 2008-1217

³ HC Deb 12 December 2007, c611-2W

Under US plans for a missile defence system, Fylingdales would be one of five early warning radars, three of which would be in the USA (Massachusetts, California and Alaska), and the other based at Thule in Greenland (this is examined in greater detail below).

1.2 RAF Menwith Hill

Menwith Hill in North Yorkshire was first established as a US Army signals base in the mid-1950s after which the US National Security Agency assumed control of Menwith Hill in 1966.

The land on which Menwith Hill is located is owned by the Ministry of Defence, in right of the Crown, and is “made available” to the US Department of Defence in line with the terms of the NATO Status of Forces Agreement 1951 and other arrangements necessary for the purposes of common defence.⁴ A “security of tenure agreement applicable solely to Menwith Hill” exists, although the exact nature of that agreement “is a confidential administrative arrangement between Her Majesty’s Government and the Government of the United States”.⁵

The base commander is a US Army officer⁶ and the executive management of the base was assumed by the US Army in 1995. The following year, Menwith Hill Station was re-designated as RAF Menwith Hill. This has no legal significance but merely brought the base into line with the usual practice of designating all major US bases in the UK as RAF bases whatever their actual military use.⁷ US-operated ‘RAF’ bases house a RAF Squadron Leader but he/she is present only for symbolic liaison purposes and has no operational control. Personnel from all four US Services work at the base and as of 1 November 2007 there were 410 US military personnel, 220 US Department of Defense personnel, 558 US contractors and a further 222 US civilians including catering and services staff.⁸

The British Government had given assurances, “in connection with US funding arrangements”, both in 1956 and in 1976, that Menwith Hill would be available to the United States for periods of 21 years.⁹ In March 1997, the MOD stated that “there is no requirement to review these assurances”, although it did not deny that new assurances were to be given.¹⁰ An attempt in 1995 to discover more detail of the control of operations at Menwith Hill in the High Court in connection with MOD legal action against the peace campaigner Lindis Percy was prevented by a Public Interest Immunity certificate signed by the then Foreign Secretary, Malcolm Rifkind.¹¹ The radomes and most of the equipment at the base are owned by the US government.¹²

⁴ The Status of Forces Agreement (SOFA), signed by NATO members in London on 19 June 1951, sets out the legal arrangements for the exchange and basing of military personnel of one NATO state in another. It was modified by an Agreed Minute and then supplemented by the addition of a Protocol in 1952. In the UK, the provisions of the SOFA were placed in statute in the *Visiting Forces Act 1952* (VFA), which replaced earlier wartime legislation governing the stationing of US forces in the UK. The VFA provides for the exercise of extraterritorial jurisdiction by a sending state, for example the USA, over members of its armed forces and their dependents in the UK. In 1961 the US Supreme Court ruled that US civilians employed by the Department of Defense, and their dependants, were not subject to US military law and therefore not subject to the extraterritorial jurisdiction provided for by the VFA.

⁵ HC Deb 12 July 1995 c677w and HC Deb 21 March 1996 c85w

⁶ HC Deb 24 February 1997 c119w

⁷ HC Deb 18 March 1996 c65w. The practice of designating US bases as RAF stations began in the 1950s as a way of covering the extent of the US Air Force build up in Britain at that time.

⁸ HC Deb 27 November 2007, c313W

⁹ HL Deb 20 March 1997 92w

¹⁰ *ibid*

¹¹ *The Guardian* 13 March 1995

¹² HC Deb 18 March 1996 c63w

In October 2001 the then Minister for the Armed Forces, Adam Ingram, outlined the current role of RAF Menwith Hill:

RAF Menwith Hill is an integral part of the world-wide US Department of Defence communications network, which supports UK, US and NATO interests. RAF Menwith Hill is also the site for the European Relay Ground Station, which is part of the US Space Based Infra-Red System (SBIRS). SBIRS will be a world-wide satellite based system designed to provide early warning of ballistic missile launch. It will replace the ageing US Defence Support Programme (DSP) satellite system, which has for some years contributed to the security of the UK and NATO. Information on detailed operations at the base is withheld under Exemption 1 (Defence, Security and International Relations) of the Code of Practice on Access to Government Information.¹³

In December 2002 the then Secretary of State for defence, Geoff Hoon, also stated:

A decision was taken in 1997 to base the European relay ground station for the Space Based Infra-Red System (SBIRS) project at RAF Menwith Hill. SBIRS is a satellite system designed to give early warning of the launch of ballistic missiles anywhere in the world. It updates the existing but ageing defence support programme (DSP) satellites and is needed irrespective of any decision on missile defence.¹⁴

2 British Assessment of the Missile Defence Threat

In the *Strategic Defence Review White Paper* of July 1998 the British Government declared that, in its assessment, the threat to the UK from ballistic missile proliferation was “many years off”. That assessment was underlined in November 1998 by the then Secretary of State for Defence, George Robertson:

Britain’s approach to Ballistic Missile Defence was considered as part of the Strategic Defence Review. Supporting Essay 5, published as part of our report on the Strategic Defence Review, set out our conclusion that the risk to Britain from the ballistic missiles of nations of concern was many years off. This conclusion was based on a careful review and assessment of the intelligence information available to the Ministry of Defence from a variety of sources. As indicated in the Essay, we are continuing to monitor the position, and remain in close touch with our Allies.¹⁵

A reiteration of this assessment was provided by the then Secretary of State for Defence, Geoff Hoon, in February 2001:

We assess that there is currently no significant ballistic missile threat, nor any other significant threat of attack, on the United Kingdom at present. We do, however, continue to monitor developments closely. It is not for the UK to make such assessments in respect of other countries.¹⁶

Despite this, the Government had expressed support for the US position on missile defence. In a Written Answer on 13 April 2000, Mr Hoon provided details on the level of UK cooperation with the USA on BMD:

¹³ HC Deb 15 October 2001, c941W

¹⁴ HC Deb 9 December 2002, c15W

¹⁵ HC Deb 12 November 1998, c291w

¹⁶ HC Deb 12 February 2001, c49w

The US has not asked for UK assistance in the deployment of the proposed National Missile Defence system, nor would we expect them to do so until after a US decision on whether or not to proceed with its deployment. In my discussions with the US Administration on the subject, I have made it clear that the UK would consider any such request carefully. I have also welcomed the fact that the US will make their deployment decision on the basis of a number of important factors, which will include taking account of the views of Allies and the status of the Anti Ballistic Missile Treaty.¹⁷

On 17 October 2002 the Government announced its intention to publish a public discussion paper on the issue of missile defence. That consultation was launched on 9 December 2002.¹⁸ In a statement to the House Mr Hoon declared:

As I promised the House on 17 October, I have today placed further analytical and discussion material in the Library of the House which I hope will contribute to the debate on the role that active missile defence might play within a comprehensive strategy for tackling the potential threat from ballistic missiles... if there is a United States request for the use for missile defence purposes of Fylingdales or any other United Kingdom facility, we will consider it seriously. The Government would agree to such a request only if the security of the United Kingdom and the alliance would ultimately be enhanced.¹⁹

In addition to considering the merits of missile defence, the public discussion paper contained a more detailed assessment of the ballistic missile threat to the UK from states such as Iraq, Iran, Libya and North Korea and other non-state actors. That paper highlighted:

The ballistic missile threat today

18. As stated earlier, the combination of capability and intent makes Iraq the immediate state threat to global security. Russia and China retain a range of ballistic missiles which would be capable of delivering weapons from their territory to targets within the UK. Many countries already possess short-range ballistic missiles with the capability to target UK forces deployed overseas. There has also been a slow but steady increase in the number of states possessing medium-range ballistic missiles, increasing the number of potential threats to UK interests such as the Sovereign Base Areas in Cyprus. We recognise that some of our NATO Allies are closer to regions of ballistic missile proliferation, and also that the US has security commitments in areas of the world that we do not.

19. Ballistic missiles owned and operated by states of concern tend to lack accuracy, and in general have more political than military utility. They have in practice been primarily used as weapons of strategic terror against urban targets, such as Iraq's attacks on Israel. However, the use of warheads armed with weapons of mass destruction gives these missiles strategic utility: the potential to cause large-scale civilian casualties, to deter, and in certain circumstances to achieve significant military effect.

The ballistic missile threat in the future

20. We assess that there is no immediate significant ballistic missile threat to the UK. But we believe that Iraq, North Korea, Iran and Libya are working to obtain longer-range ballistic missiles with the potential ability to target the UK or our deployed forces.

¹⁷ HC Deb 13 April 2000, c261-2w

¹⁸ *Missile Defence: A Public Discussion Paper*, 9 December 2002, available on the MoD web site at: <http://www.mod.uk/NR/rdonlyres/9DA4A026-DB01-466D-B5B3-EA6C64A2D85F/0/missiledef.pdf>

¹⁹ HC Deb 9 December 2002, c7-8

When a capability might emerge depends not just on technical factors (in terms of range, accuracy, and ability to design a robust re-entry vehicle) but on a continued political commitment to developing ballistic missiles and the capacity to procure expertise or complete systems from proliferators. It also depends on the effectiveness of international efforts to curb missile proliferation.

21. Achievement of capability is of course not the same thing as intention to use (or to threaten to use) such capability. However, the continuing proliferation of ballistic missile technology and expertise between countries of concern makes it more rather than less likely that the UK will in due course be within range of missiles in the hands of those who may have the intent to impose their will by threat of ballistic missile attack [...]

Non-state actors

33. As the Prime Minister has stated, there is a clear link between the terrorist threat and weapons of mass destruction. However, using long-range ballistic missiles as a means of delivering terrorist weapons is less likely. Developing ballistic missiles from scratch would be beyond the means of a terrorist organisation. Acquisition of a capability off-the-shelf is conceivable, but unlikely in the absence of state sponsorship or complicity. Likewise, a non-state entity is very unlikely to be in a position to operate a ballistic missile force without extensive state-sponsored or state-condoned assistance with land, training, maintenance and spares support. Operating liquid-propellant systems is particularly demanding, because of the need to acquire, store and handle the propellants; but even solid-propellant ballistic missile systems require extensive in-service support. As such, ballistic missiles are a more attractive capability for state actors than for non-state actors. The latter are more likely to seek covert means of delivering weapons of mass destruction, a potential threat we also take very seriously.²⁰

In a speech to a RUSI conference on 18 November 2002, the then Shadow Secretary of State for Defence, Bernard Jenkin, outlined the position of the Conservative party:

There is no dispute about the threat. The need for missile defence is beyond doubt. A Conservative government would immediately offer the US the use of UK radar facilities and offer to site missile interceptors on British soil and on ships of the Royal Navy.

In its 2003 defence white paper the MOD reiterated its commitment toward keeping the potential ballistic missile threat under review, although did not provide any further conclusions on the extent of that threat. That paper stated:

3.12 Missile defence technology is a growing area of interest following the ending of the Anti Ballistic Missile Treaty. Although the technologies are developing rapidly, missile interceptors and other means of destroying missiles will only be able to deal with a limited ballistic missile threat. They are not a substitute for nuclear or other forms of deterrence. However, the addition of active missile defences may complicate the thinking of an adversary. We have agreed with the US to allow the Fylingdales radar to be used for this role, but will continue to examine, with our NATO Allies, the complex web of strategic issues to inform future political and policy decisions. Active missile defences could provide an option for meeting the threat from WMD and its means of delivery. But we will need to consider the right balance of investment

²⁰ Ministry of Defence, *Missile Defence: A Public Discussion Paper*, 9 December 2002, available at: <http://www.mod.uk/NR/rdonlyres/9DA4A026-DB01-466D-B5B3-EA6C64A2D85F/0/missiledef.pdf>

between it, forces for nuclear deterrence, and other deterrent, defensive and preventive strategies.²¹

In its March 2008 *National Security Strategy* the Government concluded:

We judge that no state currently has both the intent and the capability to pose a direct nuclear threat to the United Kingdom or its vital interests. But we cannot rule out the risk that such a threat will re-emerge over future decades.²²

3 UK Participation in the US Missile Defence Plan

3.1 Upgrade to RAF Fylingdales

In December 2002 the British government received a request from the United States government for the upgrade of the early warning radar at RAF Fylingdales for missile defence purposes. Despite the ongoing nature of the public discussion paper on missile defence (see above), during a debate in the House on 15 January 2003, Mr Hoon outlined the Government's initial support for the US proposal:

The background to the US request is the marked increase in the threat to our security from weapons of mass destruction and their means of delivery. The Prime Minister has described weapons of mass destruction as the key issue facing the world community. It is a real threat to our security, fanned by proliferation from irresponsible regimes. As we all know, threat is a combination of intention and capability. Intentions can be debated, but they can also change at very short notice. The evidence of expanding capabilities, therefore, cannot responsibly be ignored. The hard fact is that a number of states of concern are making major investments in developing ever-longer range ballistic missiles. We are not referring here to countries developing standard military technology against the risk of conventional conflict. These ballistic missile programmes are being developed solely in order to threaten the delivery of mass destruction—nerve gas, toxins, biological agents or even nuclear warheads. It is the combination of ballistic missiles and the possession of these weapons of mass destruction, together with the demonstrated willingness to use those capabilities that makes Iraq the most immediate state threat to global security. Elsewhere, if North Korea ends its moratorium on flight testing, it could flight test a missile with the potential to reach Europe and the United States within weeks. Other countries may acquire similar missile systems, not least through the proliferation of missile technology from North Korea.

Based on the analysis and discussion that we have undertaken so far, I have therefore come to the preliminary conclusion that the answer to the US request must be yes, and that we should agree to the upgrade as proposed [...] Agreeing to the upgrade is not at odds with the wider approach of our NATO allies. The Prague summit agreed

“to examine options for addressing the increasing missile threat to Alliance territory, forces and population centres”.

The Danish Government have received a parallel request to upgrade the early warning radar in Greenland. Missile defence is a defensive system that threatens no one. We

²¹ Ministry of Defence, *Delivering Security in a Changing World*, Cm 6041-I, Session 2003-04. A copy is available online at:

http://www.mod.uk/NR/rdonlyres/051AF365-0A97-4550-99C0-4D87D7C95DED/0/cm60411_whitepaper2003.pdf

²² Cabinet Office, *The National Security Strategy of the United Kingdom*, Cm 7291, Session 2007-08

see no reason to believe fears that the development of missile defences will be strategically destabilising. Reactions from Russia and China have been measured. Missile defence would need to be used only if a ballistic missile has actually been fired. At that point, no matter how much we emphasise our other means of addressing the threat—non-proliferation, intelligence, law enforcement, conflict prevention, diplomacy and deterrence—those means will have failed and cannot be of further help. There would be no way of preventing a devastating impact without intercepting and destroying the missile. Once the missile is in the air, it is unthinkable that anyone could not want us to be in a position to shoot it down.

Those are the reasons for concluding that agreeing to the US request would not prejudice the UK's interests. But beyond that, the key consideration is that it would represent an invaluable extra insurance against the development of a still uncertain, but potentially catastrophic, threat to the citizens of this country. There is not yet an immediate threat to us of this kind, but there is a distinct possibility that this threat could materialise in the relatively near future. It would therefore be irresponsible for the Government to leave the United Kingdom without a route map to acquire a defence against this threat. An upgraded Fylingdales radar would be a vital building-block on which missile defence for this country and for our European neighbours could later be developed, if the need arises and if we so decide.

We are confident that agreeing to this request will not significantly increase the threat to the UK. The security interests of the UK are already closely identified with those of the US and other NATO allies. That will not change, regardless of decisions on missile defence. Keeping a low profile and hoping for the best is simply not an option. We also believe that any increased threat to RAF Fylingdales itself is negligible. For the foreseeable future, states of concern are very unlikely to have the sophisticated capability or size of arsenal to consider targeting specific points or military installations. Long-range missiles in their hands will essentially be weapons of terror, and, as with all military installations in the UK, the station is well defended against terrorist attack. But we must not forget that what drives the threat against the UK is not the deployment of missile defences, but those states of concern who develop or acquire weapons of mass destruction and their means of delivery.

The upgrade would indicate no commitment to further involvement with missile defence deployments. Separately, we intend to agree a new technical memorandum of understanding with the United States that would give us full insight into the development of their missile defence programme and the opportunity for UK industry to reap the benefits of participation. But any UK acquisition of missile defence would be subject to a separate decision, at the relevant time. We must approach this in stages, considering each step in the light of how both the threat and the relevant technologies evolve.

The Government have not yet formally replied to the US Administration on their request to upgrade the Fylingdales radar. I await with interest the views that hon. Members will wish to put forward, today and in next week's debate. But it is only right that the House should know the Government's preliminary conclusion that it is in the UK's interests to agree to the request. From the UK's national perspective, this specific decision is one that has real potential benefits at essentially no financial cost. But it will ensure that if, in the coming years, we find that a potentially devastating threat is becoming a reality, we have the opportunity to defend against it.²³

²³ HC Deb 15 January 2003, c696-699

Mr Hoon went on to state:

The proposal is for an upgrade of the existing radar, not some massive new construction. No change to the external appearance of the radar should be involved. The upgrade essentially comprises modification to the hardware and software of the computers within the base. There will be no change in the power output of the radar, which is many times below statutory safety limits. We therefore believe that no health risk to people or livestock could arise. We have already explained to the local planning authorities that we see nothing in the upgrade proposals that would require formal planning consultation, and we have promised to provide them with full supporting evidence in due course.

The upgrade of the Fylingdales radar can and should be considered as a discrete proposition. It does not commit us in any way to any deeper involvement in missile defence, although it gives us options to do so, should we decide on that at a later date. It will not involve huge costs. The upgrade will be performed at US expense, and we do not expect any significant variation in the running costs of RAF Fylingdales, which, as is appropriate for an RAF station, we already bear.²⁴

Reacting to the Government's comments, the then Shadow Secretary of State for Defence, Mr Jenkin, noted:

We welcome the decision as far as it goes, as we believe that it is in the interests of British national security. Many of our European allies—France, Germany, the Netherlands, Italy, Greece—are already involved in missile defence programmes, particularly theatre missile defence, some of them in co-operation with the United States... On the wider issue, the Secretary of State says that the decision does not commit us to deeper involvement in missile defence, but why is it necessary to approach the issue, as he says, in stages? Surely the conclusion from his statement must be that we should be fully committed in principle to global missile defence now.²⁵

The then Liberal Democrat Spokesman for Defence, Paul Keetch, argued however:

The decision, whether one agrees with it or opposes it, has seemingly been made with an astonishing lack of consultation. It is a major strategic decision, and to suggest that it should be debated in an Opposition-day debate is outrageous. The Government issued the public discussion paper only last month, and the request was issued only last month, yet the House of Commons has still not had a proper opportunity to discuss the matter. The costs, the strategic dimensions and the feasibility of the scheme are not well understood by those on either side of the argument. Many questions remain unclear—not least the question of why the Secretary of State chose to announce the decision today.

If Fylingdales is to be upgraded, will Britain be protected by the current US missile defence scheme? If not, why are we participating? How will participation enhance the security of Britain? What is the position of our allies in NATO and our partners in the EU on this programme? Will they be participating? Have the Danes agreed that their site should be used? How much does the UK need to invest to be able to keep the option of participating in the future? What could be achieved by spending that money on other defence issues? Is there a risk of further terrorist attack at Fylingdales? Will extra security be required there? In short, is this a good deal for Britain? If Conservative Front Benchers will hold their lines, I will.

²⁴ HC Deb 15 January 2003, c697

²⁵ HC Deb 15 January 2003, c699-700

If the Secretary of State says that his preliminary conclusion is to say yes—that he is minded to agree—what might make him change his mind and say later that he does not agree? At the moment, while the Secretary of State may be minded to say yes, many on the Liberal Democrat Benches would be minded to say no. The reality is that, today, the House of Commons is being presented with a *fait accompli*.²⁶

The Defence Select Committee also pointed out in its report on *Missile Defence*, published at the end of January 2003, that:

The request, however, is not simply for a technical upgrade. It is also, and perhaps more importantly, for agreement to a change to the purpose to which the information collected by the radar will be put. Hitherto... the information provided has been used only to identify missile launched and to track their paths. For missile defence purposes the information would also be used to support the capability of the interceptor missiles. This was described to us during our visit to RAF Fylingdales as a change to the mission of the base, which would therefore require some amendment of the agreement between the UK and US governments, which governs the terms of the American use of Fylingdales.²⁷

The report went on to conclude:

We have concluded that the UK should agree to the upgrade. The factors in favour of that agreement – the importance of the UK-US relationship, the improvement to the early warning capability, the opportunity to keep open the prospect of future missile defence for the UK and the potential for UK industrial participation in the programme's further development – outweigh the arguments against [...]

We strongly regret, however, the way in which the issue has been handled by the Government. We believe that it was a mistake on the part of the MoD to fail to respond to calls for a public debate of this issue for much of last year. The MoD's first contribution to the debate, the public discussion document on missile defence, was made in early December 2002. The request for the upgrade from the US Government was received the following week. The Secretary of State said that he wanted his decision to be informed by public and parliamentary debate. But, by announcing on 15 January that it was his preliminary conclusion that the UK must agree to the request, he effectively prevented that debate from taking place. The MoD then told us that the Government's decision might be formally passed to the US Government as soon as 31 January 2003. We can find no reason for this sudden urgency. In order to produce our report within this apparently arbitrary timescale we have had to agree it without allowing local people and organisations to appear before us (we have, however, taken into account the many written submissions which we received).

We deplore the manner in which the public debate on that issue of the upgrade has been handled by the Ministry of Defence. It has shown no respect for either the views of those affected locally by the decision or for the arguments of those opposed to the upgrade in principle. Despite the Secretary of State's unequivocal statement that he wanted the decision to be informed by public and parliamentary discussion, he has acted in a way that has effectively curtailed such discussions.

We see no reason to believe that agreeing to this upgrade will lead inevitably to further development or deployment at Fylingdales itself, or indeed elsewhere in the UK. But

²⁶ HC Deb 15 January 2003, c701

²⁷ Defence Committee, *Missile Defence*, HC 290-I, Session 2002-03, 29 January 2003, p.18

that agreement to the US request does represent at least a step or two down the path towards active participation in Missile Defence.²⁸

In February 2003 the Government formally agreed to the US request, although it did not commit the UK to any greater participation in the programme. In a Written Ministerial Statement the MOD outlined:

The Government has encouraged Parliamentary and public discussion of the issues involved. On 17 October, I informed the House of current work in the US on missile defence and, on 9 December, published a discussion paper, inviting interested parties to contribute their views. We have received a large number of responses both from individuals and organisations and we have considered all contributions carefully. I have visited North Yorkshire to explain what the upgrade would involve and to hear at first hand the views of local people. We have engaged in initial discussions with the planning authorities. In an oral statement on 15 January, I informed the House of the Government's preliminary conclusion that it was in the UK's interest to agree to the US request. I gave evidence to the Defence Select Committee on the same day and addressed points raised by hon members in Defence Debate on 22 January. I welcome the Select Committee's conclusion, in their report published on 29 January, that the UK should agree to the upgrade.

In the course of these discussion we have been able to clarify that: the upgrade essentially comprises computer hardware and software modification, and involved no new development or change to the external appearance or power output of the radar; the radar will continue to fulfil its long-established Ballistic Missile Early Warning System (BMEWS) role; it will continue to be operated and staffed by the Royal Air Force, and we will continue to enjoy full access to its data; and the upgrade does not of itself commit the UK Government to any greater participation in the US missile defence programme. It does, however, keep open the prospect of acquiring missile defence capabilities for the UK, should we desire such protection at some point in the future. We will continue discussions with the local planning authorities on the detail of the upgrade work.

I am now satisfied that we have been able to take fully into account the views of all interested parties in coming to a decision. I am therefore today replying to the United States Secretary of Defense, Donald Rumsfeld, conveying the Government's agreement to the US request. We are separately negotiating a technical Memorandum of Understanding to give British industry the best possible opportunities to win work on the US programme.²⁹

The then British Chief of Defence Staff, Sir Michael Boyce, previously a critic of missile defence, expressed his support for the US request. Commenting at a RUSI conference, he stated:

If there is a defence system around which we can make use of, then it must be essential for us to investigate it. I would very much endorse the fact that we should take this [US] request seriously...It would benefit the country in the longer term. There may not be a threat today, but there will certainly be. I can guarantee it...or take a bet on it.³⁰

Dr Stephen Pullinger of the Centre for Defence Studies also expressed support for the missile defence proposals. In a paper published in January 2003, he commented:

²⁸ Defence Committee, *Missile Defence*, HC 290-I, Session 2002-03, 29 January 2003

²⁹ HC Deb 5 February 2003, c11WS

³⁰ Speech to RUSI by Chief of Defence Staff, Sir Michael Boyce, on 18 December 2002

Fears that missile defence will spark a new arms race are largely without foundation; upgrading the radar at Fylingdales will not make the UK more of a target... This is not to deny the existence of concerns regarding the impact of missile defences on strategic stability... [Therefore] it would be prudent for the Government to agree to the US request to upgrade Fylingdales and to indicate its willingness to participate in the US missile defence programme. It should also make clear that any further investment in missile defence will depend on the nature and extent of the evolving threat, the technological capabilities demonstrated by missile defence at countering the threat, the financial (opportunity) costs involved, and our security commitments to our allies.³¹

In contrast, the former Assistant Chief of the Defence Staff, Air Marshal Sir Tim Garden, highlighted a number of concerns in an interview with the BBC Radio *File on 4* programme:

Taking part in US missile defence plans would put the UK at greater risk of attack... Enemies intent on using weapons of mass destruction would see the need to take on our infrastructure, of which the ballistic missile warning radars would be a very important and perhaps the most vulnerable part.³²

On the issue of potential UK industrial participation, he went on to state:

I think the best estimate was that over the whole [1980s SDI star wars] project, which spent billions upon billions of dollars, we got about £1 million of business... The US is concerned, just as other nations are, about not letting work go overseas that could be done at home... I think it would be expecting a great deal that much business is going to come the way of Britain and Europe.³³

US-UK Memorandum of Understanding

Cooperation between the UK and US on missile defence research programmes has been underway since the mid 1980s under the classified Strategic Defence Initiative Memorandum of Understanding.

However, in both the Statement to the House on 15 January 2003 and again in February 2003³⁴ the Government set out its intention to agree a new technical Memorandum of Understanding (MOU) that would replace the SDI MOU. The MOU was intended to ensure bilateral co-operation on certain aspects of missile defence development including a bilateral exchange of information and the potential for industrial participation in the programme by British companies.

An MOU on the general principles of US-UK technical cooperation was subsequently signed by Mr Hoon and the then US Secretary of Defense, Donald Rumsfeld, on 12 June 2003. A Written Ministerial Statement to the House outlined:

In a written statement on 5 February 2003, *Official Report*, columns 11–12WS. I informed the House that the Government had agreed to a US request to upgrade the early warning radar at RAF Fylingdales as part of the US missile defence programme. Since then, we have been engaged in negotiating agreements with the US intended further to develop bilateral cooperation on aspects of the US missile defence programme. The United States Secretary of Defense and I have today signed a Framework Memorandum of Understanding on missile defence that facilitates bilateral information exchanges on missile defence matters, establishes a top-level

³¹ Dr Stephen Pullinger, "Missile defence: next steps in UK policy", *Centre for Defence Studies*, January 2003

³² *BBC File on 4*, interview with Air Marshal Sir Timothy Garden, 2 February 2003

³³ *BBC File on 4*, interview with Air Marshal Sir Timothy Garden, 2 February 2003

³⁴ See HC Deb 15 January 2003, c698 and HC Deb 5 February 2003, c11-12WS

management structure to oversee cooperative work, and prepares the way for fair opportunities to be given to UK industry to participate in the US programme. It also contains general provisions for security, personnel and other administrative matters. Further MOUs are being negotiated covering the detailed arrangements for the upgrade of the Fylingdales radar, and setting up specific UK/US technical cooperative programmes. The details of these bilateral arrangements are confidential between the respective Governments at this stage.

None of these agreements commits the UK Government to the acquisition or deployment of a missile defence system. But the Framework MOU is an important step forward that will enable us to improve our understanding of the capabilities of the US system, in order to inform any future decisions on missile defence for the UK or for Europe as a whole.³⁵

Under the agreement the Missile Defence Centre (see below) would act as the primary interface between the UK and the US MDA. The MOU stated:

Together the MDC and the MDA will manage all missile defense related efforts under this MOU, including: potential UK contributions to the US BMDS Program; current and future joint work programs, including activities initiated under the SDI MOU [strategic defense initiative], research, testing and procurement; developer-warfighter interfaces and collaboration; personnel assignments between MDA and MDC under this MOU; and missile defense intelligence relations. Industry-to-industry co-operation will also be encouraged and facilitated via the MDA/MDC interface.³⁶

Opponents of UK involvement in the US missile defence programme criticised the signing of the MOU. An article for *This is York* in June 2003 stated:

News of the deal provoked anger among campaigners opposed to the use of the RAF Fylingdales radar base on the North York Moors for NMD. Anni Rainbow of the Campaign for Accountability of American Bases said: "Apart from being horrified they are going to do this I am not really that surprised. Of course the Government would want British industry to profit from this. I am not at all surprised unfortunately that is the way of the world. But it is a system that is not going to profit anyone apart from the arms dealers it's not going to help the rest of humanity at all.

North Yorkshire does not have any aerospace firms in line to benefit from the project.³⁷

A copy of the MOU is available in the Library ((ref: DEP 03/2054) and is also available online at: <http://www.basicint.org/pubs/Press/2003sept9.pdf>

Annexes to the Framework MOU

In December 2003 Annex A of the Framework Agreement concerning the upgrade to RAF Fylingdales was signed. The Annex set out the specific details of the upgrade programme including roles, responsibilities, dispute settlement procedures and cost sharing agreements. In a Written Statement on 18 December 2003 Mr Hoon commented:

The Assistant Chief of the Defence Staff, on behalf of the Ministry of Defence, has today signed an agreement setting out the management and financial arrangements and responsibilities for the radar upgrade. This agreement is made under the

³⁵ HC Deb 12 June 2003, c57WS

³⁶ *Memorandum of Understanding between Secretary of Defense on behalf of the Department of Defense of the United States of America and the Secretary of State for Defence of the UK and Northern Ireland concerning Ballistic Missile Defence*, June 2003

³⁷ "UK firms to profit from missile deal", *This is York*, 12 June 2003

framework memorandum of understanding on missile defence that I announced to the House on 12 June 2003, *Official Report*, column 57WS, and comes into immediate effect. Design work for the upgrade is already in hand, and upgrade work on site is expected to start in spring 2004, lasting for some 30 months, including testing of the upgraded system and removal of old equipment. I am placing in the Library of the House a copy of this agreement, although one section relating to a technical point on the operation of the radar has been withheld at the request of the US authorities.³⁸

A copy of the agreement is available in the Library (ref: DEP 03/2675).

On the cost of upgrading RAF Fylingdales, the then Minister for Defence Procurement, Lord Bach, stated during Oral Questions on 10 February 2003:

The cost of upgrading RAF Fylingdales will be borne by the United States Government. The station's running costs are borne by the Ministry of Defence, as is appropriate for a station staffed and controlled by the Royal Air Force, but the impact on these costs is expected to be minimal.³⁹

He went on to state:

The present annual operating costs of RAF Fylingdales is some £15.6 million per year. The introduction of additional security measures announced by the Secretary of State following the events of 11 September 2001 – which have nothing to do with this proposed upgrade – means that this figure will rise to almost £18 million per year.⁴⁰

A further annex to the MOU (Annex B) detailing specific arrangements for UK-US co-operation in the fields of missile defence research, development, testing and evaluation was also signed and placed in the Library of the House in October 2004 (ref: DEP04/1671). The purpose of Annex B is to:

Provide the participants [the UK and US] with insight into each other's BMD-related activities; and to establish an environment for the exchange of information and discussion of operations for the defence of the UK and the implications for the defence of Europe. This will allow informed decisions to be made regarding any further participation by the UK in the US BMDS program. This Annex establishes a mechanism to enable timely, efficient and mutually beneficial cooperation and provides fair opportunities for US and UK industry to participate in the US BMDS program.⁴¹

RAF Fylingdales Environmental Report

On 23 June 2003 the MOD published an independent environmental assessment of the impact of upgrading the early warning radar at RAF Fylingdales. The report concluded that:

The upgrade of the RAF Fylingdales Early Warning Radar:

- i. will not involve building operations, engineering, mining or other operations other than those which affect only the interior of the building, and
- ii. will not result in any material change of use of any building or other land.

The upgrade will therefore not represent "development" as defined in the Town and Country Planning Act 1990.

³⁸ HC Deb 18 December 2003, c155WS

³⁹ HL Deb 10 February 2003, c460

⁴⁰ *ibid*

⁴¹ Annex B to the Memorandum of Understanding, DEP 04/1671, Section II

There is therefore no requirement to undertake a Circular 18/84 consultation in the form of a Notice of Proposed Development.

This Report also concludes that the radar facility operates, and will continue to operate, within relevant safety guidelines.⁴²

In a Written Answer on 12 November 2003 the then Minister of State for the Armed Forces, Adam Ingram also confirmed:

It is already the Ministry of Defence policy to carry out environmental impact assessments of all new projects and training activities. To this end, the MOD commissioned some time ago from independent consultants an Environmental and Land Use Report on the planned upgrade of the RAF Fylingdales radar for missile defence purposes. This report was passed to the local planning authorities in June 2003 and can be accessed on the MOD website. It confirms our view that nothing in the package of work involves an environmental impact or change of use, and that radar emissions are well within health guidelines. Nevertheless, in order to reassure the public, monitoring of the radar emissions will continue and the data made available publicly. Separately, an epidemiological study is being undertaken by the local NHS Primary Care Trust to determine if there is any evidence of increased rates of disease in the area which might warrant further investigation.⁴³

However the report had been dismissed as a “public relations exercise” by opponents of the Fylingdales upgrade who continued to express concern over health and safety and the likelihood of the base being a prime target for attack.

A copy of the report is available [online](#).

The upgrade of the Fylingdales radar was completed in 2007.

Missile Defence Centre

In July 2003 the MOD launched the UK Missile Defence Centre (MDC), which is a joint initiative between the Government and UK industry. Operating under a six year mandate, the MDC acts as a forum for the exchange of information, ideas and capabilities between UK and US industry and provides an interface between the MOD and the US Missile Defence Agency. That interface enables the sharing of technical and scientific advice; while also allowing the MDC to support US work on technology programmes related to their own missile defence programme, including assessments of the consequences of missile intercepts, and the demonstration and testing of hardware.

BAE Systems, Alenia Marconi Systems (AMS), Insys, MBDA and QinetiQ were initial participants in the project, although a number of other companies have subsequently joined. The MOD budget for the MDC was expected to be £5 million per annum until 2009, with a matching contribution from industry.⁴⁴

Speaking at the launch of the MDC Lord Bach commented:

With the US programme running at some \$8bn a year, the opportunities for UK industry are clear. In the Missile Defence Centre we are looking to develop a well-defined, directed, jointly funded hardware demonstration programme focusing on areas

⁴² *RAF Fylingdales Upgrade to Early Warning Radar: Environmental and Land Use Report*, June 2003.

⁴³ HC Deb 12 November 2003, c327W

⁴⁴ Ministry of Defence press release, 167/2003, 18 July 2003. The 2007-08 budget was confirmed in HC Deb 26 February 2007, c615

of UK expertise. In time, I hope that UK industry will play a significant role within the US missile defence programme.⁴⁵

MBDA Chief Operating Officer Guy Griffiths stated:

UK industry has significant capability in the area of missile defence. The establishment of an MDC is strongly supported, providing a framework for open and fair exchange of data and technology between the US and the UK, and our prospective industrial collaboration.⁴⁶

James Evatt, Senior Vice President and General Manager of Boeing supported these comments and highlighted that “the Missile Defence Centre has again demonstrated that the special relationship between the United Kingdom and the United States extends to missile defence”.⁴⁷

In a Written Answer on 3 March 2004 Mr Hoon, outlined the expected outputs from the MDC for 2003-04:

The expenses incurred by the Missile Defence Centre (MDC) fall into the broad categories of running costs for the Centre itself and funding for specific technical work carried out in support of its objectives. In the period from the MDC's opening last July to the end of financial year 2003–04 the Ministry of Defence expects to contribute some £5.5 million, while the estimated contribution by industry will be some £2 million.

The outputs expected from the MDC in 2003–04 include: advice on missile defence issues; the development of models and databases to facilitate the formulation and evaluation of concepts for defending the United Kingdom against the ballistic missile threat; and the construction and testing of hardware elements of potential use to the United States Ballistic Missile Defence (BMD) programme. These outputs are intended to inform national BMD policy, establish a leading role for the UK in missile defence, and secure significant participation by UK industry in the US BMD programme.⁴⁸

3.2 Current Debate over UK Participation in Missile Defence and the Role of RAF Menwith Hill

In its report on *Missile Defence* in January 2003 the Defence Select Committee pointed out that:

Amendment will be needed in due course in respect of RAF Menwith Hill, whose use is governed by the *NATO Status of Forces Agreement 1951* and additional confidential arrangements. MoD officials told us that if at any point the US wished to use the station's Space Based Infra Red System (SBIRS) capability for missile defence purposes, they would need to request approval for that from the UK Government. But the position differed from the Fylingdales case. The MoD argued that although Menwith Hill had already been upgraded to process SBIRS data, no US request had been required so far because the prospective SBIRS system is not yet part of any missile defence system.⁴⁹

⁴⁵ *ibid*

⁴⁶ *ibid*

⁴⁷ Ministry of Defence press release, 167/2003, 18 July 2003.

⁴⁸ HC Deb 3 March 2004, c944W

⁴⁹ Defence Committee, *Missile Defence*, HC 290-I, Session 2002-03, 29 January 2003, p.18. As with the upgrade to RAF Fylingdales, it is worth noting that, at present, any request to upgrade the facilities at RAF Menwith Hill as part of the US BMD programme would not require the approval of Parliament.

Since the initial missile defence debate in January 2003 the Government has maintained a relatively non-committal stance on greater involvement in the BMD project. However, in February 2007 Tony Blair, while still Prime Minister, suggested that any further decisions on UK participation would likely be debated in the House:

We will tell the House as soon as there is something to say. At the moment, those discussions are at a very preliminary stage, but it is important that we have them with the United States to see what options are available for this country and whether ballistic missile defence would be good for us or not. It is entirely sensible that we have those discussions—obviously they are on a confidential basis, but as soon as we have something to report we will do so.

I am sure that we will have the discussion in the House and, indeed, outside the House when we reach the point at which a proposition can be put before people. Of course, the technology is untried and is under development in the United States which, as was indicated a short time ago, is in discussion with Poland and the Czech Republic about whether to site ballistic missile defence systems there. It is entirely sensible for us to work out the possible options and what the country's possible interests are. When we have a proposition to put, we will come back and put it. No doubt, the right hon. and learned Gentleman can then tell us whether or not he is in favour of it.⁵⁰

Despite the government's non-committal stance it has, however, made it consistently clear that discussions have remained ongoing as to the potential implications of the BMD system for the UK, including options for further participation. In answer to a Parliamentary Question in March 2007 the then Secretary of State for Defence, Des Browne, stated:

The hon. Gentleman knows that the United Kingdom already makes a contribution to the US missile defence system through RAF Fylingdales and that there is other co-operation through technical programmes. All that is entirely consistent with the issue of principle. The House also knows that the Government's position—I think that most hon. Members share this view—is that it would be irresponsible not to explore with the US and its NATO allies the possible implications of the system for the security of the UK — [*Interruption.*] I can tell the hon. Gentleman that when there is something to report to the House, a report will be made. However, no decisions have been taken at this stage, and there are no developments that require the matter to be reported to, and debated in, the House.⁵¹

Speculation that, as part of those discussions, the UK had offered to base the third European missile interceptor site on UK soil, as an alternative to Poland, was widely reported in the British media in February 2007.⁵² Indeed, an article in *The Economist* suggested that the British Prime Minister had personally led efforts to secure the UK's role as an interceptor site in the BMD system. That article stated:

Tony Blair has been discreetly waging a campaign since last autumn to secure the missile interceptor site for Britain [...] The prime minister has led the lobbying in person, apparently convinced that missile defence technology – long derided in polite European circles as an expensive “star wars” fantasy – now works. Mr Blair believes that hosting the interceptors will make Britain as well as America more secure.⁵³

⁵⁰ HC Deb 28 February 2007, c919-920

⁵¹ HC Deb 26 March 2007, c1142

⁵² For further detail on the US' plans for a third interceptor site in Europe please see Library Standard Note SN/IA/4378, *Ballistic Missile Defence: Recent Developments*.

⁵³ “Expect fireworks”, *The Economist*, 23 February 2007

In an interview with the *Financial Times* on 23 February 2007 the Head of the US Missile Defense Agency, General Obering, acknowledged that the MDA had considered the UK as a potential interceptor site, prior to choosing Poland. General Obering confirmed:

Certainly, the UK could be a viable location for the interceptors, it is not the optimum location. We have not pursued with the UK to the same degree the location of the interceptors like we have with Poland.⁵⁴

On several occasions in the last year the MOD has confirmed that, to date, the US had not requested to base interceptor missiles on UK soil and that there were no plans to do so.⁵⁵ A number of commentators have expressed concern, however, that the US may be forced to review this situation should Poland's parliament fail to ratify the agreement on basing missile interceptors on its territory.⁵⁶ Indeed, an article in the *Daily Telegraph* in October 2007 suggested that the UK had continued to engage in talks with the US over the possibility of basing interceptor missiles in the UK, probably at RAF Lakenheath, and that "Sir Nigel Sheinwald, the new ambassador to Washington, has been put in charge of the negotiations".⁵⁷

During discussions in early 2007 the potential role of RAF Menwith Hill in the US BMD programme had remained unclear. Indeed in answer to a Parliamentary Question on 4 June 2007 the then Foreign Secretary, Margaret Beckett, stated:

Officials regularly discuss and review UK participation in the US system as it develops but discussions are at an early stage and there are no formal proposals.⁵⁸

However, less than two months later in July 2007 the government announced that it had agreed to the upgrade of facilities at RAF Menwith Hill which would allow for the receipt of information warning of potentially hostile missile launches to be fed into the US BMD system for use in any US response to an attack. In a Written Ministerial Statement the MOD confirmed:

The Secretary of State for Defence (Des Browne): On 5 February 2003 the Secretary of State for Defence announced the Government's agreement to a request from the US to upgrade the Ballistic Missile Early Warning System radar at RAF Fylingdales. The UK already makes a contribution to US capability in the area of missile warning, through our operation of the radar at RAF Fylingdales. That upgrade process is now complete and we expect that the radar will switch its operations to the new equipment from August 2007. There is no change to the existing UK-US mission for the radar and the station remains under full UK command. Its primary mission is to warn of ballistic missile attack, with secondary functions of space surveillance and satellite warning. The radar will contribute to the US ballistic missile defence system, alongside a global network of other US-owned sensors based on land, at sea and in space and the data it produces is shared between the UK and US military authorities. The UK will have full insight into the operation of the US missile defence system when missile engagements take place that are wholly or partly influenced by data from the radar at RAF Fylingdales.

Also, at RAF Menwith Hill, equipment will be installed and operated by the US Government to allow receipt of satellite warnings of potentially hostile missile launches,

⁵⁴ "Blair seeks British role in US missile defence", *The Financial Times*, 24 February 2007

⁵⁵ See HC Deb 19 March 2007, c604W, HC Deb 25 July 2007, c72WS and HC Deb 17 October 2007, c1115W

⁵⁶ An agreement between the US and Poland was signed in August 2008. See SN/IA/4378 for further details.

⁵⁷ "Britain in talks with US on missile defences", *The Daily Telegraph*, 8 October 2007

⁵⁸ HC Deb 4 June 2007, c237W

and will pass this warning data to both UK and US authorities. The data will also be fed into the US ballistic missile defence system for use in their response to any missile attack on the US. This will guarantee the UK's continued access to essential missile attack warning data, as well as enhancing the US's ability to deal with any attack aimed at their country.

The Government welcome US plans to place further missile defence assets in Europe to address the emerging threat from rogue states. We welcome assurances from the US that the UK and other European allies will be covered by the system elements they propose to deploy to Poland and the Czech Republic and we have been exploring ways in which the UK can continue to contribute to the US system as well as to any future NATO missile defence system.

These developments reflect the Government's continuing commitment to supporting the development of the US missile defence system. We continue to regard this system as a building block to enhance our national and collective security. NATO has made no decisions about acquiring missile defence for the alliance, and we want to examine how the US system can be complemented and built upon to provide wider coverage for Europe. We have no plans to site missile interceptors in the UK but will keep this under review as the threat evolves. We also want to reassure Russia about the defensive nature and intent of the US system as it develops and to take forward alliance cooperation with them in the field of missile defence.⁵⁹

Despite previous suggestions (see above) that any decisions to be more closely involved in the US BMD system would be debated in the House the Government has consistently refused, since that July statement, to publish the official US request to upgrade RAF Menwith Hill. In response to a Parliamentary Question in January 2008 the MOD stated:

The US administration's request for missile warning data being routed through RAF Menwith Hill for use in the US missile defence system was received in a classified letter dated 29 June 2007. It is not the practice of the Government to make public the details of correspondence with foreign governments as this would, or would be likely to, prejudice international relations.⁶⁰

To date, the issue has also not been debated in the House of Commons, either in Government time or in an opposition day debate. A debate on UK participation in the missile defence programme was held in the House of Lords on 10 January 2008. Initiating the debate the then Deputy Leader of the Liberal Democrats in the House of Lords, Lord Wallace of Saltaire, commented:

My Lords, the context for this debate is provided by the Government's commitment to participate in the United States missile defence system, slipped out in a Written Statement one day before Parliament rose last July. Since then, the Government have offered no opportunity to debate this decision in either House; despite the promise that Tony Blair, as Prime Minister, made in the other place last February [...]

No such discussion has yet taken place. We therefore offer the Lords the opportunity to consider Her Majesty's Government's acceptance that the US will install new equipment at Menwith Hill, in addition to switching on the enhanced radar at RAF Fylingdales, in the hope that the Government will be sufficiently embarrassed to provide a fuller and more detailed justification of their decision, and to grant time for an appropriate debate also in the other place.

⁵⁹ HC Deb 25 July 2007, c71-2WS

⁶⁰ HC Deb 7 January 2008, c30W

He went on to state:

We are not, as a party, opposed in all circumstances to the concept of missile defence—no more than we are opposed in desperate circumstances to nuclear weapons, dreadful as they are. We are however committed to a multilateral approach to international security and to the development of a treaty-based framework for controlling and reducing the world's dependence on armaments, most of all nuclear weapons [...]

In that context, some precautionary research on the long-term possibilities of missile defence, in case efforts at multilateral regime-building fail, is justifiable—but not a rush to deployment.⁶¹

Conservative peer, Lord Marlesford also argued:

The issue of sovereignty in the matter of collaboration with the United States over defence has not been a real problem for the great majority of us for a very long while. I personally do not see any difference between what is now proposed in terms of sovereignty and what has been happening for a long while [...]

We all know that the prospects of stability in the world are vanishing rapidly. It is not just that there is a frightening lack of world leadership. So many world leaders, including some leaders of the great powers, are either weak in their home bases, deeply flawed or on their way out. Furthermore, the influence of the great powers has declined. Tragically for the world, the United States seems to have used its military power to diminish its world influence.

There is also a growing number of failed states, where a combination of economic incompetence, corruption, internal conflicts, external attacks, political anarchy and repressive regimes has created intolerable conditions for local populations. The uncompromising threat of fundamentalist Islamicism, which has overtly transferred itself from a religion into a political ideology, is growing. In the Middle East, the price of peace seems to be higher than the cost of conflict, especially given the cash flow from the high oil prices, which contribute to that regional turbulence. Indeed, the price of oil is partly a function of the regional turbulence. In whose interest, therefore, is the regional turbulence?

The likelihood of nuclear proliferation is growing. It is probably safer to use military technology to counter it, if it happens, than military force to prevent it, because nuclear weapons remain unusable, as they have been since August 1945. I believe that we can be reasonably confident that no state that has even the semblance of a diversity of power will use them. None the less, we must have the best defence against them. For those reasons, I strongly support the principle of ballistic missile defence in Europe.⁶²

The Foreign Affairs Select Committee also touched upon the issue of UK participation in missile defence and the lack of consultation with Parliament, in a broader report on Russia in November 2007. The Committee concluded:

We regret the manner and timing of the Government's announcement that RAF Menwith Hill is to participate in the US ballistic missile defence (BMD) system, and the resulting lack of Parliamentary debate on the issue. In its response to this Report, we recommend that the Government inform us of the date on which it received the formal

⁶¹ HL Deb 10 January 2008, c950

⁶² *ibid*, c958

proposal from the US to include Menwith Hill in the BMD system. We recommend that there should be a full Parliamentary debate on these proposals.⁶³

The government's refusal to hold a debate has also led to significant criticism, both within the House and more widely among commentators and the public. In a letter to *The Guardian* in August 2007, 23 Members of Parliament expressed their concerns over the increasing involvement of the UK in the US BMD programme and called for a full Parliamentary debate to be held. That letter stated:

We are greatly concerned by the government's announcement that the communication base at Menwith Hill is to be used for US missile defence, alongside the Fylingdales radar, both in Yorkshire (Britain insists on joint role at 'son of Star Wars' base, August 2). The continued and increasing involvement in US missile defence potentially puts the UK on the frontline in future wars. It has already contributed towards increased tensions with Russia. US missile defence is provocative, allowing the US to launch first-strike attacks without fear of retaliation, and increases the likelihood of a new nuclear arms race. We therefore believe that any UK support for the programme should be fully debated and agreed by parliament, rather than by ministerial announcement.

Colin Burgon MP, Martin Caton MP, Mick Clapham MP, Frank Cook MP, Jeremy Corbyn MP, Jim Devine MP, Paul Flynn MP, Neil Gerrard MP, Ian Gibson MP, Fabian Hamilton MP, Mike Hancock MP, Nick Harvey MP, Brian Iddon MP, Lynne Jones MP, Peter Kilfoyle MP, John Leech MP, Michael Meacher MP, John McDonnell MP, Linda Riordan MP, Angus Robertson MP, Clare Short MP, Jon Trickett MP, Phil Willis MP.⁶⁴

EDM 65 was also tabled in November 2007 which, by the end of the 2007-08 parliamentary session, had received 112 signatures. That EDM stated:

That this House recalls the statement by the former Prime Minister on 28th February with regard to the UK involvement in the US Missile Defence programme, that 'I am sure that we will have the discussion in the House... When we have a proposition to put, we will come back and put it'; notes with concern that the Secretary of State for Defence made a written statement to this House one day before the summer recess, stating that at RAF Menwith Hill, 'equipment will be installed and operated by the US Government to allow receipt of satellite warnings of potentially hostile missile launches'; regrets that the written statement does not reflect the spirit of the process that the former Prime Minister announced; and calls upon the Government to arrange a full debate to allow hon. Members to scrutinise in public the US Missile Defence deployment plans in the UK.⁶⁵

Campaign groups such as the Campaign for Nuclear Disarmament (CND) have also called for a Parliamentary debate given the lack of consultation over the decision to upgrade RAF Menwith Hill and the renewed speculation over the possible siting of missile interceptors in the UK. Launching a new lobby campaign Kate Hudson, Chair of CND, stated:

We demand an urgent Commons debate on missile defence and insist that any decision on UK participation must be made by Parliament. It is a disgrace that the government is secretly negotiating to place more US military assets in this country. The overwhelming majority of the public wants to see a more independent foreign policy. The government has consistently misled Parliament and the public about missile

⁶³ Foreign Affairs Select Committee, *Global Security: Russia*, HC 51, Session 2007-08, para. 275

⁶⁴ "MPs must debate US missile defence", *The Guardian*, 3 August 2007

⁶⁵ EDM 65, Session 2007-08

defence in the past – it must not repeat this duplicity. The previously announced installations already put us in the front line in future US wars. But if the interceptor rockets are stationed at the US Air Force base at Lakenheath – a site with 100 US nuclear bombs – any attempt by those hostile to the US to knock-out this system could result in millions of UK deaths. And all this for a system that far from being defensive, will allow the US to wage war free from the fear of retaliation.⁶⁶

A YouGov poll commissioned by CND in July 2007 suggested that 68% of respondents supported the view that UK participation in missile defence, and the stationing of US bases in the UK as part of that system, should be decided by Parliament. The same poll also indicated that 54% agreed that the siting of US missile defence assets in Europe has increased the security threat faced by the UK. The results of that poll are available online at: <http://www.cnduk.org/pages/nmdpoll0807.xls>

In February 2008 the Government responded to the Foreign Affairs Committee report, stating:

MOD has confirmed, in answer to parliamentary questions, that the request from the US to use RAF Menwith Hill as part of the US missile defence system was made in a letter to the Secretary of State for Defence on 29 June 2007. The Defence Secretary announced on 25 July government agreement to the use of the data relay station at RAF Menwith Hill for missile defence purposes.

MOD published a discussion document on missile defence in November 2002 and Parliament debated missile defence in early 2003 after the Government received a US request to upgrade the missile tracking radar at RAF Fylingdales. The principles underlying missile defence, as they affect the UK, have not changed in the intervening time and the decision to use RAF Menwith Hill as a further contribution to the US missile defence system is in line with these basic principles. The Government does not, therefore, see the need for a further full Parliamentary debate. It was a decision for the Secretary of State for Defence to make, and he did so in consultation with the rest of the Cabinet.⁶⁷

However pressure for the Government to hold debate on the US' missile defence proposals and any further participation by the UK has continued after the signing of BMD agreements between the US and Poland and the Czech Republic in the summer of 2008. An article in *The Guardian* on 4 November 2008 reported that "50 Labour MPs have issued a statement calling for a public debate on US plans to push ahead with a missile defence system using bases in the UK and Europe".⁶⁸ That article also quoted Kate Hudson as commenting:

Driving Europe into this throwback from the 1980s will give no security from the actual threats we face. It will further worsen tensions with Russia, leading to greater risk for us all [...] The government has repeatedly tried to avoid debate on this, announcing the US can use Menwith Hill base for missile defence the day before a parliamentary recess. These are major long-term strategic decisions which will affect our security for decades.⁶⁹

⁶⁶ CND press release, 9 October 2007. For further information on this campaign see:

http://www.cnduk.org/index.php?option=com_content&task=view&id=18&Itemid=36

⁶⁷ Foreign Affairs Committee, *Global Security: Russia – Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm 7305, Session 2007-08, para.81

⁶⁸ "MPs demand debate on US missile defence", *The Guardian*, 4 November 2008

⁶⁹ *ibid*

4 Possible Costs to the UK

The British Ministry of Defence's research budget for the missile defence centre is approximately £5 million per year. The cost of upgrading RAF Fylingdales has been met by the US government, although the running costs of the station continue to be borne by the MOD.⁷⁰ The cost of upgrading RAF Menwith Hill will be determined in line with the terms of the confidential agreements established between the British and American governments over US use of the base.

The full costs to the UK of implementing a missile defence system, either as part of the US-led programme or through a NATO-led initiative, are unclear at present. During the public discussion on missile defence in late 2002 Geoff Hoon, stated:

No realistic cost estimates can be made at this stage. The United States Government has made no specific decisions on the overall architecture of a US missile defence system. No decision has been taken on the acquisition of a missile defence system by the UK.⁷¹

The costs to the UK of procuring its own BMD system similar to the one under development in the US could be considerable. During evidence to the Defence Committee in February 2002 Paul Roper, the Director of Strategic Technologies at the MOD, suggested that the cost to the UK could be in region of five to ten billion pounds,⁷² which, at the time, *The Guardian* estimated to be around 40 per cent of the current UK defence budget.⁷³ The broad estimate was based on the assumption that the UK had access to data from an upgraded RAF Fylingdales and that it procured US ground-based interceptors. Brian Hawtin, the Director of General International Security Policy at the MOD, said there was a need to be very careful about formulating meaningful estimates at this stage, saying that the figure suggested by Mr Roper had been of "a very broad order of magnitude, not based on specific systems or specific architecture".⁷⁴

In December 2006 Des Browne, stated in response to a Parliamentary Question on potential costs, that:

No decisions have yet been taken on whether or not to acquire ballistic missile defence for the United Kingdom. Work by officials continues to examine potential options for future UK participation in a missile defence system, including the strategic, cost and legal issues arising. UK officials are also working with their NATO counterparts to consider the implications of a NATO Feasibility Study into options for Alliance missile defence. Given the range of options that might be available it is premature to speculate on the possible costs.⁷⁵

In answer to a Parliamentary Question in October 2008 the MOD confirmed that "We do not anticipate the direct running costs incurred by the UK will increase because of the participation of these stations in the US ballistic missile defence system".⁷⁶

⁷⁰ HL Deb 10 February 2003, c460

⁷¹ HC Deb 2 December 2002, c471W

⁷² Defence Committee, *Missile Defence: Minutes of Evidence*, HC 290-II, Session 2002-03, 29 January 2003, Ev103

⁷³ 'Missile system's £10bn price tag', *The Guardian*, 28 February 2002, p.7

⁷⁴ Defence Committee, *Missile Defence: Minutes of Evidence*, HC 290-II, Session 2002-03, 29 January 2003, Ev105

⁷⁵ HC Deb 6 December 2006, c439W

⁷⁶ HC Deb 23 October 2008, c474W