

Global Disarmament Regimes:
A Future or a Failure?

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Opening Remarks

By Richard H. Stanley

Welcome to the Stanley Foundation's 34th conference on United Nations Issues. Each year for more than 30 years, we have gathered to explore timely issues related to world challenges and global governance. This conference continues that pattern with the objective of contributing to a secure peace with freedom and justice.

We are here to talk about how to manage weapons of mass destruction (WMD) and the future role of global disarmament and nonproliferation regimes. We do this in a new and different 21st century climate.

Some have suggested that the existing legal frameworks for WMD are relics of the Cold War that should be discarded. Others argue that they remain necessary and that any difficulties

are due to inadequate commitment and support. We intend to explore the full range of these perceptions, and it seems best to begin with a review of the changed nature of today's world.

The Nature of the Twenty-First Century International System

The 21st century paradigm differs sharply from that of prior years. We must rethink fundamental questions about global, regional, and national security. As a starter, the Cold War—the organizing imperative of much of our adult lives—is over. Security issues are no longer easily defined in East-West terms.

Today there is one “hyperpower,” not a balance of power. The United States subscribes to values of democracy and market economy that have become widely accepted. It is economically and militarily predominant, spending nearly as much on its military might as the rest of the world combined. Under these circumstances, both the United States and the rest of the world are gingerly exploring how to deal with each other most constructively. To what extent will the United States use its hyperpower status to dictate policy and act unilaterally with minimal regard for the concerns of others? To what extent will it lead in strengthening a global rule of law, work to build multilateral consensus, and accept guidance from others in the use of its power?

The consequences of these options are staggering. An imperial United States invites retribution in large and small ways. A reluctant United States will fail to use its strength and influence toward a safer and better world. The nature of this relationship is still being worked out, as illustrated by current and recent debates on Iraq intervention, and the outcome is not clear. Candidate George W. Bush observed in the second presidential debate in 2000, “It really

depends on how our nation conducts itself in foreign policy. If we're an arrogant nation, they'll resent us. If we're a humble nation, but strong, they'll welcome us." Yet last September's new National Security Strategy articulates use of preeminent US might to maintain superiority over all competitors and includes the option of preemptive military attacks to defeat nascent challenges. The future relationship between the United States and the rest of the world greatly influences WMD management.

A third characteristic of the 21st century is the changing role of the nation-state and national sovereignty. In our interconnected world, national boundaries are increasingly porous to the flow of information, ideas, business, finance, people, and problems. Globalization is eroding national prerogatives and options. Concurrently, global governance is evolving, and the international community is progressively constraining nation-state behavior. Among others, this takes the form of treaty regimes, norms, trade rules and practices, financing conditions, international criminal tribunals, intervention in internal conflicts to end egregious human rights violations, humanitarian assistance, and bringing public knowledge and discussion to bear on matters that were once considered within the domestic jurisdiction of states.

The new paradigm also includes dramatic increases in the number and influence of transnational nonstate actors that complement the nation-state and have become a part of global governance. One category of these includes business enterprises, ranging from legitimate commercial businesses to illegal crime cartels and arms smugglers. Another category includes the broad spectrum of private voluntary organizations and citizen associations pursuing particular issues or areas of interest. At the radical extreme, this category includes terror-

ist organizations. The transnational character of these nonstate actors takes them beyond the control and regulation capabilities of individual nations.

Finally, we see growing recognition that the survival issues of the future—issues like population, migration, disease, poverty, climate change, and resource limitations—are global in scope and require global solutions.

WMD Goals and Objectives

We seek to manage weapons of mass destruction within this new and changing environment. Subject to your amendment, let me propose some goals and objectives for WMD management. It seems to me that the world will be safer and more peaceful if:

1. Weapons of mass destruction are never again used for war or terrorism.
2. Existing WMD arsenals are sharply reduced or eliminated.
3. WMD proliferation to non-WMD states is sharply limited or prevented.
4. Safeguards are put in place to prevent WMD from falling into the hands of terrorists.
5. These goals are accomplished in ways that build norms, strengthen the rule of law, and enlist the support of as many state and non-state actors as possible.

Demand and Supply Dynamics

To achieve these objectives, we must understand the demand and supply dynamics of WMD. Why do nations and terrorists want these weapons? What motivates potential suppliers to transfer or deny the necessary technologies and materials?

In policy debates, it is often assumed that states seek strategic weapons primarily for aggressive purposes. If proliferation is described in this manner, then it follows that strict supply-side nonproliferation measures such as export controls, used alongside preemptive military options for counterproliferation purposes, will strengthen regional security and stability. Economic sanctions and military policy initiatives with a nonproliferation mission will help stabilize volatile regions because they are aimed at powers that unjustly seek regional dominance. The term *rogue state* in the US debate conveys this interpretation of proliferation.

However, many of the “usual suspects” for proliferation have pursued WMD and missile programs for avowedly defensive reasons: territorial integrity, sovereignty, deterrence, and defense against threats of aggression. Therefore, overcoming legitimate grievances and satisfying bona fide security and justice concerns in ways that reduce the motivation to acquire WMD will ease the management task. Legal, military, and political frameworks that have a strong normative base and are inclusive, nondiscriminatory, and transparent can facilitate adherence to standards by both suppliers and acquirers. WMD supply and demand dynamics may help point us toward effective management.

The Status of Global Regimes

What is the status of global WMD regimes today? In the past decade, a combination of factors has led to increased questioning of disarmament and nonproliferation regimes such as the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC), and the Biological Weapons Convention (BWC).

The NPT has been weakened from within by states such as Iraq and North Korea and from

without by nonsignatories such as Israel, India, and Pakistan. This raises hard questions about the global community’s ability to enforce, implement, and extend this long-running regime. Furthermore, the P-5 obligation to reduce and ultimately eliminate their own nuclear arsenals is little closer to fruition than it was ten years ago, casting doubt as to whether these powers are serious about this part of the nonproliferation grand bargain.

The BWC bans biological weapons but has no binding mechanisms for monitoring, verification, or enforcement. An ad hoc group was formed in 1995 to create a treaty implementation protocol, but after six years of negotiations, there is little hope for one. During the treaty’s fifth review conference in late 2001, the United States called for an end to the ad hoc group and its negotiating mandate, labeling the treaty regime “inherently unverifiable.” In lieu thereof, the United States proposed voluntary compliance measures such as national legislation to regulate dangerous pathogens and criminalize possession or use of biological weapons, commitment by states parties to clarify any suspicious activities or disease outbreaks through bilateral consultations, support for the World Health Organization’s disease surveillance capacity, and adoption of a common scientific code of conduct. In response, the states parties agreed to meet three times before the 2006 review conference to discuss these measures.

Treaty universality problems persist with the CWC. Many regional powers remain outside the regime, particularly in the Middle East. On the positive side, the four states parties that have declared possession of chemical weapons—India, Russia, the United States, and another publicly unnamed country—have made great strides in the destruction of both weapons stockpiles and chemical weapons facilities. By the end of 2001,

all but two of the states parties had fulfilled their treaty obligation to declare their holdings of chemical weapons and related facilities. However, the Organization for the Prohibition of Chemical Weapons (OPCW) remains underfunded. Only 68 percent of required inspections were carried out in 2001, and some US analysts still argue that the treaty is ultimately unverifiable, charging some CWC states parties with violations despite “successful” inspections.

Finally, in all three technology areas, growing fears of WMD acquisition by terrorist groups raise questions about the nation-state focus of global regimes.

A Fork in the Road: Competing Approaches

Current policy dialogue is articulating two competing philosophies for WMD management: cooperative security strategy and a counterproliferation strategy.

The **cooperative security strategy** has guided past development of global weapons regimes. It argues that a legal regime-based approach, with binding multilateral agreements and verification mechanisms, is the best path to peace and stability. It identifies stability and predictability in international affairs as a primary sovereign state goal. States seek to maintain their sovereignty, and state governing regimes seek to remain in power against internal or external challenges. It understands that states and nonstate actors may seek WMD for reasons of prestige and status, in effect telling the world, “Now you have to deal with me.” The cooperative security school of thought acknowledges that real or perceived grievances exist and that this will drive some to pursue illicit weaponry.

Cooperative security strategists are convinced that all nation-states will find greater relative

security through mutual commitments to limit their military capabilities. To deal with WMD proliferation, both demand-side and supply-side initiatives are necessary. Supply-side actions include horizontal nonproliferation measures such as export controls, as well as vertical disarmament by states already possessing WMD. Demand-side actions include alleviating the root causes of demand through security, development, justice, and equity initiatives, and avoiding Great Power actions that fan WMD demand. For example, attempts by the stronger powers to maintain and improve WMD stockpiles will eventually induce increased proliferation by weaker countries that feel threatened by these arsenals.

In short, security is obtained cooperatively through mutual agreement rather than through dominance. Competitors and potential enemies, as well as friends and allies, participate in security regimes. Cooperative security advocates work to build universal acceptance of norms and constraints on behavior that are mutually advantageous, mutually verifiable and, as a last resort, enforceable. The cooperative security strategy sees security as a positive-sum collective good and believes that, in an era of globalization, unilateral zero-sum gain over an opponent is neither a positive nor a feasible long-term goal.

More recently, some US analysts have articulated a **counterproliferation strategy**. Former Secretary of Defense Les Aspin and fellow security intellectuals such as Ashton Carter first articulated this school of thought in 1993 during the Clinton administration. Originally, this strategy was conceived as complementary to regime-based nonproliferation initiatives. Now, however, the concept has shifted to an almost exclusive focus on counterproliferation policies, based on the conclusion that arms control and disarmament regimes contribute little to international peace and security.

The counterproliferation strategy is built on selective multilateralism. The United States and its friends and allies will employ a flexible mix of supply-side export controls, deterrence, coercive diplomacy, global military superiority, and the preventive use of military force. US relations are largely defined in terms of formal or informal alliances and security understandings with friends, who receive preferential US aid, trade relations, technology-sharing and, in some cases, large sales of military goods. Technological diffusion and economic development is encouraged primarily *within* this circle of friends and allies. Security is seen as a zero-sum good that is divided between opposing camps. Nation-states are either with us or against us.

The September 2002 National Security Strategy follows this conceptual framework, picturing a global security order based upon the indefinite extension of US military and economic preeminence. Future competition between the United States and rising regional powers such as China or Iran would *not* be managed through strategic reassurance measures, confidence-building activities, bilateral arms control accords, or universal global disarmament and nonproliferation regimes. Rather, the new norm would be retention of improved nuclear capabilities for the United States and its allies and denial of *all* weapons, WMD and conventional, to those outside the preferred circle of “friendly” states.

Since the September 11, 2001, terrorist attacks, the Bush administration has moved to link the “war on terrorism” and homeland security with the counterproliferation approach. “Rogue” state actors such as Iraq and North Korea are understood to enable, guide, or equip transnational terror networks. Both the January 29, 2002, State of the Union address and the

September 2002 National Security Strategy emphasized a linkage between counterproliferation and counterterrorist military actions.

Some policy analysts have even suggested the possibility of a **third strategy**—a third way that cuts between the cooperative and the counterproliferation schools of thought. But no such strategy has yet been articulated in a way that would permit comparative analysis.

The Way Forward

Our challenge here is to decide what philosophy or strategy will be the best way forward to achieve WMD goals and objectives. In the long run, will shared, mutual, verifiable constraints on international actions make states more secure, or will security through a counterproliferation approach instituted by the greater powers be better? Is there a third strategy? And what is needed to advance the most promising strategy?

As we begin our discussions, the following broad questions seem relevant:

- What are the long-term advantages, consequences, and side effects of alternative philosophies for WMD management?
- Should regulation of strategic weaponry through cooperative agreements, whatever forms such practices might take, continue to be a goal of both individual states and the international community? Or are the very concepts of arms control and disarmament ineffective and unfeasible?
- If there is a role for arms control and disarmament, should existing frameworks be discarded for a fresh start or should they be amended or extended to enhance their effectiveness?

- Should future cooperative approaches be universal in character, or should they be based on more selective or limited forms of multilateralism?
- Is combining WMD disarmament, horizontal nonproliferation, and economic development concerns within each of the global regimes the best strategy? Or should these matters be separated, both politically and conceptually?
- Can the existing regimes be amended to deal with the danger of transnational terrorism? If so, how?
- Should there be new preventive efforts to address the demand side of proliferation? How might a demand-side approach deal with transnational terrorism?

Ultimately, the international community should be guided by the answer to one fundamental question: What kind of world do we want 10, 20, or 50 years from now? Then we must work to bring about those security instruments and national security practices that are most likely to foster the preferred vision for global peace and stability.

Conference Report

Introduction

The world community is currently experiencing a shift in security practices and concepts.

Evolving political realities include an increasing loss of faith in bilateral arms control and disarmament between Great Powers and a simultaneous loss of faith in universal, multilateral, global regimes that combine disarmament, non-proliferation, and economic development concerns within one overarching legal framework. These global forms of disarmament and non-proliferation include the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC), and the Biological Weapons Convention (BWC).

First, some US analysts have concluded that arms control and disarmament (whether bilateral or multilateral) have little to contribute to international peace and security, arguing that many of the existing legal structures are Cold War edifices no longer relevant for ensuring global, regional, and national security needs. Along these lines, the United States has recently enunciated a new National Security Strategy that pictures the evolution of a new global security order based upon the indefinite extension of US military and economic preeminence. Under this vision, future competition between the United States and rising regional powers such as China or Iran would *not* be managed through strategic reassurance measures, confidence-building activities, bilateral arms control accords such as the Anti-Ballistic Missile (ABM) Treaty, or through global disarmament and nonproliferation regimes. Instead, the United States will emphasize the importance of prevail-

ing in any such competition through unquestioned superiority over all competitors, China and Russia included. According to this new vision for global stability, the best way to avoid harmful competition is to escape the constraints of balance-of-power politics through the further expansion and solidification of a liberal democratic world system. Solidification of such a system would lead to the integration of future great powers into a US-defined economic and military order.

Under the new US vision, the dominant form of multilateralism would be *selective* rather than universal; i.e., agreements among “friends and allies” who would receive preferential access to weapons systems and weapons technologies, US protection through forward basing, and preferential trade agreements and loan programs. Rather than the outright, universal banning of weapons of mass destruction (WMD) as required by current global regimes, the new norm would be the retention of improved nuclear capabilities for the United States and the total denial of *all* weapons (WMD or conventional) to those outside the preferred circle of “friendly” states.

Furthermore, there would be no future versions of the ABM Treaty or the Strategic Arms Limitation Talks (SALT) between the United States and rising powers—such as China—as a form of bilateral conflict management that would support global regimes in the same way that the ABM Treaty and SALT indirectly supported global nonproliferation goals in the 1970s and 1980s. In short, global security would be defined by US hegemony rather than by universal, cooperative treaty regimes.

This report summarizes the primary findings of the conference discussions as a whole. It does not necessarily represent the views of the Stanley Foundation or the chair, individual staff, and participants.

Second, the weakening of regimes from within by states such as Iraq and North Korea and from without by nonsignatories such as Israel, India, and Pakistan has raised doubts about the global community's ability to enforce and implement the complex treaties once they are adopted.

These troubling developments raise several hard questions, namely:

- What role, if any, is there for cooperative disarmament, arms control, and nonproliferation in guaranteeing global peace and security? Should cooperative global security pacts remain central to fulfilling the UN Charter's mandate?
- If there *is* still a role for universal treaty regimes, what is the nature of future disarmament and nonproliferation efforts? Have existing agreements been irreparably damaged, or is it still possible to move forward within existing legal and institutional structures? What alternatives might there be to the current agreements?
- More generally, was it the correct strategy to combine vertical disarmament of the P-5, horizontal nonproliferation efforts, and economic development concerns within each of the global treaty regimes? Or should these be separated, both politically and conceptually?
- Are universal, global accords actually feasible politically and technically, or will there always be "outliers" such as Israel, India, and Pakistan who undermine the efforts to achieve treaty universality?
- Is it realistic to expect that the P-5, let alone others, will always agree on the correct methods for enforcing global accords and punishing noncompliance by wayward states?

- Finally, what is the ideal form of US leadership in shaping the future of global security?

To address these questions, the Stanley Foundation convened a group of more than 20 officials and experts from UN institutions in New York and Geneva and from the United States and other countries to examine the relative utility of strengthening, reforming, or abandoning current global security frameworks. This meeting was part of the long-running annual UN Issues conference series and is part of the foundation's new Strategies for National Security program.

Current Status of Global Efforts: Mounting Dangers and Missed Opportunities

Finding No. 1

A majority of participants believed that the most strict and effective provisions of global treaty regimes have yet to be effectively tested, and it is too early to call them failures when their full inspection and verification capabilities have not been tried on a widespread basis.

There is still a strong role for both the treaties themselves and related international organizations such as the Organization for the Prohibition of Chemical Weapons (OPCW) and the International Atomic Energy Agency (IAEA). In the nuclear area, Additional Protocols formulated in the 1990s (in response to Iraq's proliferation activities) should receive new emphasis—something that no government is currently doing as a central part of its foreign policy. And for the CWC and OPCW, more money is needed for intrusive verification and monitoring activities that are already part of the regime, and more effort is needed to test the OPCW's ability to help regulate dual-use technologies useful for transnational terrorism.

Toward these ends, additional attention and resources must be put on CWC members' domestic legislation and enforcement capabilities; the OPCW cannot do its job unless member states make enforcement and implementation a primary goal. A number of others suggested that the road to strengthening the regimes would be paved with more money allocated to the verification instruments, including OPCW and IAEA.

More detailed recommendations were also offered for reforming and improving the existing structures. Some participants believed that the term *challenge inspections* suggests a politicized process that negates its usefulness. Inspections should be recast as a scientific inquiry into the state of affairs, with negative results as important as positive results. Several participants suggested renaming "challenge inspections" to "special inspections" to overcome misconceptions about the process, but others doubted the efficacy of this route. Yet others believed the monitoring culture must change, with more detectives as well as technicians taking part in inspections. One participant suggested that the future of inspections might be the United Nations Monitoring, Verification, and Inspection Commission (UNMOVIC) with military backing.

Minority Viewpoint. According to one critical viewpoint, challenge inspections and the verification process of current regimes are inherently unworkable because they can only work in an amicable environment; i.e., in those cases where inspections are not needed in the first place. For those cases where the proliferating state has aggressive intentions or ideologies in conflict with the majority of treaty members, the inspections process will inevitably become hostage to the proliferator's larger goals of overturning the status quo. This is a political and

military reality that no global regime has yet been able to deal with in a satisfactory manner, and changing the name or the nature of inspections does not address the real problem: the existence of states and domestic regimes that challenge the global order.

Finding No. 2

The NPT regime is on the verge of becoming a hollow shell if the North Korea problem is not effectively addressed *or* if Iran succeeds in building a nuclear weapons capability (uranium enrichment or plutonium reprocessing capability) under the umbrella of legitimate IAEA safeguards.

One of the most marked characteristics of the two days of discussions was the almost total emphasis on North Korea and Iran instead of Iraq. In terms of global nonproliferation norms, participants believed the North Korean and Iranian cases are far more harmful to international security and stability than the Iraqi case, both in the immediate term and far future. This conclusion was supported across all ideological and national divides within the participant list.

The Democratic Peoples Republic of Korea (DPRK) nuclear crisis is the first true example of a regime member "breaking out" of the treaty and developing weapons, while further developments in Iran could represent the first example of a state successfully building a working nuclear arsenal under the umbrella of IAEA safeguards. Whereas the Persian Gulf War of 1991 destroyed and froze Iraq's programs prior to their fruition, nothing is currently standing in the way of North Korea joining Israel, India, and Pakistan as a de facto nuclear power. Furthermore, the developments in North Korea and Iran were thought to be inherently more serious than that of the South Asian nuclear tests in 1998 because India and Pakistan have

always kept themselves wholly outside the boundaries of the regime. North Korea *was* a standing member, and Iran *is still* a standing member, of the NPT regime; hence the two cases together represent the greatest challenge to the treaty's norms.

Finding No. 3

The NPT regime also faces a serious erosion of norms regarding the possession *and use* of nuclear weapons.

There is a rising probability that the longstanding taboo against the use of nuclear weapons in wartime will be broken during future hostilities. Since Hiroshima and Nagasaki there has been a psychological, moral, and legal taboo against using nuclear destruction as a rational instrument of statecraft. However, with India and Pakistan facing each other in an increasingly coercive bilateral nuclear relationship and with the United States considering new uses for nuclear weapons in “anti-agent” or “bunker-busting” roles against WMD holdings in nonnuclear states, this longstanding norm is at risk.

A majority of participants agreed that nuclear weapons should never be used to disarm another state of WMD. A number of participants argued against nuclear weapons playing a role in counterproliferation policy, since doing so would represent a disproportionate response, subvert international coalition-building, and undermine nuclear-use norms and the nonproliferation regime. Any first use of nuclear weapons would establish an extremely dangerous precedent for the future. Development of new nuclear weapons violates the spirit of the NPT, if not the letter, and the idea of making new and “safer” nuclear weapons creates a doctrinal shift from deterrence to war fighting. Precision nuclear weapons should be avoided, and nuclear weapons as a whole should be made harder, not easier, to use.

As voiced by one participant, how do we maintain our correct abhorrence of nuclear explosions as the number of those scientists with firsthand experience in live atmospheric testing diminishes? How will we maintain the barrier that was properly erected in 1945? If the horrors of Hiroshima and Nagasaki constituted the initial “vaccination” against future use of nuclear weapons, what might a “booster shot” look like?

Minority Viewpoint. As an example of continued thinking of nuclear weapons as useful tools for coercive diplomacy (through the use of “first strike” nuclear threats against states with WMD holdings), some US participants later argued that ruling out the use of nuclear weapons, for either strategic or tactical counterproliferation reasons, would run the risk of marginalizing their deterrence role. This highlighted a perception of some US analysts not shared by many other participants: that the key to successful nonproliferation is sometimes the successful use of nuclear threats against a defecting state. This viewpoint ran directly counter to those advocating a new treaty framework for outlawing nuclear threats against non-nuclear states, and indicated that the fissure between schools of thought was not just about treaty effectiveness per se, but rather about the efficacy of coercive, offensive, war-fighting methods in stopping or preventing proliferation of WMD (see further sections below on the US-led counterproliferation approach).

Finding No. 4

With regard to disarmament (as opposed to nonproliferation), a number of roundtable participants agreed that the CWC represented the most accomplished of the global disarmament regimes.

Paradoxically, even though the NPT is viewed as being at the heart of global disarmament and

nonproliferation efforts, the NPT norm against state possession of nuclear weapons and progress toward the goal of full disarmament remains substantially weaker than that of the CWC and BWC. While the retention of nuclear weapons by the P-5 members remains firmly entrenched in their national security doctrines, the CWC and BWC have most effectively outlawed the possession and use of chemical and biological weapons, with CWC members alone committed to the complete, verified destruction of their chemical weapons arsenals.

All possessor states that are members of the CWC are committed to disarmament and actively moving forward toward this goal. By the end of April 2003, almost all signatories were to have destroyed all but 1 percent of their declared stockpiles. In marked contrast, a number of participants expressed concern that verification and enforcement for the BWC presented an insurmountable difficulty for the regime. Furthermore, while a mechanism to clarify treaty compliance exists within the CWC, in the case of the NPT, the IAEA can only verify *compliance with safeguards* and not whether a member is abiding by the treaty's provisions. This demonstrates a profound difference and weakness in the nuclear regime. According to this view, only when IAEA safeguards are truly tailored to verify compliance or noncompliance with the treaty will the NPT be effectively enforceable. Along these lines, members of the NPT should develop an official mechanism to evaluate how its obligations are being observed, with a neutral body to investigate allegations, receive evidence, and share intelligence.

The Strategy for Reform: A Revolutionary or Evolutionary Approach?

This discussion grew into a debate over two very different ways to approach arms control

and attendant challenges: (1) through revolutionizing the concepts and thinking that underpin the regimes or (2) by focusing on incremental reforms as part of an evolutionary approach to the regimes.

A number of participants agreed there is a need to rethink both the language and the instruments of nonproliferation and disarmament in light of new global realities. However, there was a notable disparity between those suggesting incremental reform or amendments to existing legal and political instruments and those suggesting a fairly radical overhaul through a complete reconceptualization of what international security means in the post-9/11 era. US analysts tended to emphasize the latter view (though not unanimously), while many non-US participants tended to emphasize the former.

One American participant, voicing the general views of other US analysts at the roundtable, pointed out that the language used today is discordant with world realities. The core concepts that still underpin the field are those that were promulgated back in the 1950s and 1960s to keep the Cold War from becoming hot: arms control, mutually assured destruction (MAD), and mutual vulnerability. This participant and other Americans believed that the current structures are now at a dead end, that the arms control and disarmament discourse does not lend itself to productive public argument, and that Cold War concepts do not lend themselves to the new realities of catastrophic war, transnational terrorism, and the nexus of these two phenomenon. From the mid-1980s to the mid-1990s, nonproliferation and disarmament met with some real success, but since then the path forward has so far consisted of a series of bumps in the road. This participant stressed that the field of nonproliferation and disarmament must undergo a similar transition to that of the 1950s

and 1960s, in which the foundations and assumptions were rethought and reconceptualized. If we plow ahead with the “same old methods and tactics,” we are destined for collapse. The international community is working to save the tools in which it invested so much time rather than developing a better approach. Along these lines, several participants suggested that new thinking will have to come from a new generation of analysts, and toward that end, more should be done to bring nonproliferation and disarmament issues to the attention of young people to cultivate another generation of thinkers on these issues.

This general position, expressed by a majority of US analysts, drew a number of critical responses from other participants. In response to the American emphasis on revolutionary change, one participant agreed that a reconception of nonproliferation and disarmament regimes is needed, but asked if the reconception was to be based on *US needs and interests* or if it was to be a *global reconceptualization* that takes into account other countries’ views. In short, US domestic political realities are not global political realities, and any type of revolutionary amendment of current structures would have to take global viewpoints into account.

For many non-US participants, there was a strong fear that the tearing down of disarmament and nonproliferation treaties was inseparably linked to the Bush administration’s questioning of broader, longer-held norms about nonintervention and state sovereignty. In particular, some argued that norms governing the use of military force in the post-World War II era transcend the Cold War era, and thus amendment or elimination of these norms cannot be legitimately based upon calling them “Cold War relics.” Many felt that the United States was discarding basic international norms that have been the basis of

relations among states for centuries and that the new US criticism of global disarmament and nonproliferation regimes was simply a derivation of this larger assault on global norms. Thus many were hesitant to rid the field of Cold War concepts, noting that all of these principles are evolving over time, including the current evolution of the principle of nonintervention.

Several participants agreed that *the establishment of norms must be separated from the creation of the means to enforce them*. Norms established in another era must be judged separately from the successes or failures of the tools used to enforce them. If the norms in and of themselves make sense, then they should be strengthened and reinforced. The priorities and norms of nonproliferation and disarmament should not change, only the tools should. And military-based counterproliferation is unavoidably of those tools.

Furthermore, contrary to the thoughts of some US analysts, many roundtable participants argued that the NPT is *not* based on the concept of MAD, but rather on the concept of *disarmament as the most stable solution to the persistent dangers of nuclear arms racing*. With the end of the Cold War, Article VI of the NPT faces a real chance of being implemented, which could abolish the ever-present threat of the nuclear arms race among current and future great powers.

According to this contending viewpoint, after the Cold War ended the UN Charter was endowed with a new dynamic, there was optimism that disarmament treaties could be implemented, and NPT membership grew immensely—demonstrating it still enjoyed a certain attraction or compulsion that extends beyond the Cold War years. The CWC and BWC are close to reaching the goal of universality. Moreover, the Comprehensive Test Ban

Treaty (CTBT) represents a construction whose political possibility increased in the decade after the Cold War. September 11 requires that we reexamine these instruments, but not do away with them.

In defense of current measures, one participant noted that rather than the NPT standing in the way of taking effective measures to control proliferation of WMD to terrorists, it provides a solid legal and political foundation for cooperation. For instance, the IAEA, after 9/11, proposed specific measures to deal with nuclear terrorism in the area of nuclear safeguards.

More generally, those participants arguing against revolutionary change believed that incremental evolution is the *inherent nature of international political instruments*. A number of participants agreed that the very existence of the regimes could only be justified if they can stand the test of time and prove flexible and adaptable over the long term. For instance, the idea of the CTBT evolved from the partial test ban treaty, and the nuclear regime instruments evolved from the creation of the IAEA to the implementation of safeguards and now to the Additional Protocol. It is precisely because the NPT regime and its assorted measures have adapted over time to new challenges that the NPT is not in danger of collapsing as a whole.

Along these lines, one participant analogized that we must “pour the concrete as we go”; the tough cases of Iraq, North Korea, and terrorism do not require that we change everything. The nuclear regime is a broad regime and we must not abandon it, but rather make sure it is flexible and adaptable enough to evolve over time. These regimes have proven they have been able to deliver on some fronts; so while they are not a panacea, the regimes have still made substantive contributions to the nonproliferation of

WMD. As argued by one non-US participant, it is not necessary to view regimes in “absolutist or apocalyptic scenarios, with an eye toward collapse,” especially since replacing the NPT regime with unilateral enforcement would result in a much less stable system.

However, others in favor of more far-reaching amendments countered that a reconceptualization of the arms control and disarmament regimes would not mean scrapping the norms they are based on, but rather *radically rethinking the approaches to implementing the goals of the regimes*. For instance, one participant suggested replacing the concepts of MAD, ABM, and deterrence with a broad concept of cooperative threat reduction writ large, with a combination of unilateral, bilateral, and multilateral efforts along the lines of the Nunn-Lugar program designed to reduce the threat and danger posed by WMD.

Addressing the WMD Terrorist Threat

Participants agreed that much more must be done to adapt the existing regimes to address the new terrorist threat. Thus far, there has been a conference in Vienna on radiation dispersion devices, an IAEA plan for nuclear security, and further measures to strengthen regime institutions against the growing threat of nuclear or radiological terrorism. Furthermore, after 9/11, there have been increasing talks within CWC forums about how the OPCW can be best utilized to contribute to the war on terror.

However, when the CWC was written, terrorism was not one of the issues being considered and the convention makes no reference to the terrorist threat in its convention. Overall, for the NPT, BWC, and CWC to be seen as credible instruments for addressing transnational terrorism, member states and the treaty-associated intergovernmental organizations must create

new funds, verification and monitoring tools, and legal language to deal adequately with the fluid dynamic of transnational threats.

Is Treaty Universality a Necessary Component of an Evolutionary Approach?

Roundtable participants were split on the extent to which universality is a desirable characteristic for the regimes. Several participants were of the opinion that universality as currently defined (formal treaty accession) is crucial. Some went even further, arguing for a wider definition of universality beyond regime membership that would require countries to approve and implement the necessary national legislation to bring their commitment into force. Those who expressed support for a strong emphasis on universality believed that the nuclear weapons predicament lies largely with those states, such as India and Pakistan, that remain outside the regime.

However, several participants argued that the costs and benefits of universality were not absolute for all situations and expressed concern about member states' ability to coerce universality. One participant recalled the landmine treaty ("Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction"), which has experienced remarkable progress in gaining membership and eliminating stockpiles, but which simultaneously lacks the United States as a member. Does this mean that the Land Mines Convention has been a failure? Another participant agreed with this contention, pointing out that there are CWC nonmember countries with chemical weapons, but the regime is still making a substantive contribution.

Several participants added that not only numbers but also the *quality of participation* in the

regimes is crucial for future success, noting that perfect universality can prevent the accomplishment of set objectives. While universality is a fine goal, the question must be asked: Universality at what price? Universality at the price of hollowing out a treaty? Is nonenforcement the price of universality? Are unreliable inspections the price of universality? Universality is a hollow goal if national legislatures add appendices in their domestic ratification laws that essentially nullify the treaties' primary intent. In the end, the most important ingredient for success of the regimes depends not necessarily on universality but on the continued and active support of those countries crucial to international security, both globally and in key regions.

Suggestions by Individual Participants for Strengthening and Supplementing the Existing Regimes

To address the above problems and concerns, several individual participants were invited to outline in detail their specific recommendations for strengthening, amending, or supplementing the current global regimes. Their individual contributions are given as accurately as possible below, followed by the results of group discussions.

Expanding and Strengthening Existing Global Mechanisms

One participant offered the following ten steps to be taken:

1. Establish a global commission on WMD to address the challenges of a post-9/11 world. A focused, longer-term study is needed—and could perhaps be arranged along the lines of the Canberra Commission.

2. Agree to and establish as a norm a “no-first-use” policy on nuclear weapons.
3. Create a legally binding treaty on negative security assurances, including a clause that states nuclear weapon states will never attack nonnuclear weapon states with nuclear weapons. Such a measure is important to prevent more North Koreas from happening.
4. Adhere to the IAEA Additional Protocol, making it mandatory for all NPT members. This would ameliorate concerns about Iran.
5. Create an NPT secretariat or executive council board that meets annually to assess threats to the treaty.
6. Make the IAEA and OPCW aggressive about special inspections.
7. Provide the IAEA with more money to safeguard fissile materials and expand safeguards to chemical and biological materials.
8. Build support for the Fissile Material Cutoff Treaty (FMCT) outside of the Conference on Disarmament, since efforts within it have been stymied.
9. Promote the establishment of national legislation to ban chemical, biological, and potentially nuclear weapons.
10. Consider extending the life of UNMOVIC beyond Iraq. The inspection regime has a great deal of valuable infrastructure and technology that could be retained for future verification missions.

The above suggestions enjoyed wide support from the participants; however, several doubted the feasibility of a few of the proposals, noting

there is little real hope for political agreement any time soon—they have already been tried and have failed on political and strategic grounds. Most notably:

- A no-first-use convention would be rejected on strategic grounds by states such as Pakistan and the United States.
- Making the Additional Protocol binding and mandatory for all NPT members failed at the 1995 NPT Review Conference.
- There exist states like China that refuse to consider an FMCT in or out of the Conference of Disarmament.

A Combination of Practical and Revolutionary Reform

Other participants focused on a combination of far-reaching amendments to regimes—such as empowerment of the United Nations as a real actor in verification and military efforts—and more technical, narrow proposals. These sets of recommendations focused almost exclusively on *nonproliferation* rather than disarmament.

One participant offered the following five suggestions:

1. Change the role, structure, and composition of the UN Security Council to be less consensus-based and more reflective of post-Cold War realities.
2. Focus not on regime universality but rather on how to restrict sensitive trade between regime and nonregime members.
3. Create an enforcement mechanism stronger than a secretariat, inside or outside the United Nations, involving real resources like navies and air forces that could also be used

to interdict illicit WMD or arms transfers. One participant noted that nonproliferation would have been served by interdicting the North Korean missiles bound for Yemen, but Yemen's support in the war on terror received precedent. This exposes a contradiction in the equation of counterproliferation and counterterrorism. Tools must be constructed to overcome this. A number of participants expressed the belief that the Bush administration made a mistake on the Yemeni missile transfer.

4. Ensure that any FMCT would cut off both civilian and military materials.
5. Consider the idea of a "Nonproliferation Trust, Inc." that would assume control over all spent fuel and the reprocessing of it.

This was followed by seven other suggestions for consideration:

1. Look at the regimes in a broader scheme of security to deal not only with WMD but also regional security concerns.
2. Look to declaratory statements for the establishment of moral precepts and norms, such as the institution of a no-first-use doctrine by all nuclear powers, but understand that such normative statements are useless unless states subscribe to them and implement the norms in their operational doctrines.
3. Create a standing investigative group in the United Nations with a mandate to monitor compliance with WMD regimes (possibly with the deployment of a UN verification satellite) and a mechanism to enforce noncompliance.
4. Identify proliferation choke points and restrict access to them (including the

restriction of trade in technologies for reprocessing and enrichment plants). If access cannot be completely restricted, make these facilities multinational and institutionalized.

5. Identify specific danger points, such as access to radiological materials.
6. Increase cooperation in the areas of export controls and monitoring.
7. Identify future contentious issues, such as space weaponization, and address them before they arise.

The Way Forward: Strengthening and Expanding Existing Frameworks

Recommendation No. 1

The original "Atoms for Peace" philosophy, which is ingrained in the current NPT text, was created in a different era under different assumptions and needs revisiting. However, amendment of the core provisions about trade in dual-use technologies must be done in a way that is nondiscriminatory.

During group discussions, a strong plurality of participants believed that there is *no* conceivable rationale for types of atomic power that utilize either uranium enrichment or plutonium reprocessing, both of which are processes central to constructing a nuclear weapon. Other types of nuclear power exist, and in future years there will be even more high-tech nuclear alternatives. The IAEA and NPT mandates not only allow but actually encourage all forms of nuclear power (including enrichment and reprocessing), which directly feeds into the proliferation problem. Somehow, countries must be convinced to amend this provision of the treaty or otherwise find a way both politically and operationally to

work around it. Several participants, mostly American, suggested that just uranium enrichment and plutonium processing plants be restricted to the P-5 states, possibly through amending the NPT. The alternative, in their view, was for Iran to become the fifth de facto nuclear power after North Korea, Pakistan, India, and Israel. To make such reform possible, one participant proposed the art of compromise: If certain states are to be denied certain technologies outright, a solution would be to offer something comparable in return, such as valid packages offering a certain level of economic security.

However, many others disagreed with this suggestion, noting that technology transfers cannot be banned because doing so would spark allegations of discrimination. According to this group of participants, the voluntary renunciation of WMD capabilities and the decision not to pursue WMD is prompted, in the majority of cases, by the state's expectation that it will receive equal access to related dual-use technology, equipment, and materials for peaceful uses in exchange for its commitment. Much of the technology is dual use and greater restrictions on its transfer would seriously damage peaceful programs and pursuits.

Furthermore, one participant noted that the threat potential of reprocessing and enrichment plants in one period, under one particular treaty, might be perceived differently in another period of international relations. As treaty language and international circumstances change, perceptions of the risks these facilities pose change as well. Therefore, to be consistent in the long term, a permanent set of safeguards, properly implemented, would solve the quandary of changing perceptions and negate the need to restrict these technologies.

Ultimately, there was no majority agreement within the roundtable on this issue. While many felt that the current Article IV of the NPT is seriously outdated and directly feeds into the proliferation problem, it was not clear that an internationally sanctioned solution could be found to this problem. Reform in this area might be necessary to address the post-Cold War threat environment, but there was no agreement on the nature of a political and technical compromise.

Recommendation No. 2

In international political terms, reform and improvement of the existing global regimes critically depends on further action toward nuclear disarmament by the P-5.

The roundtable was equally divided on the question of whether nonproliferation, in and of itself, constitutes a goal apart from all other issues (including nuclear disarmament and technology-sharing for developmental purposes). A strong plurality, mostly from the United States, believed that nonproliferation norms must stand on their own and be strictly enforced, whatever the pace and success of other efforts. But an equally strong plurality, based in part on the opinions of participants from developing countries, believed that nonproliferation concerns *cannot* be separated, politically or conceptually, from the goal of general nuclear disarmament.

In the view of several American analysts, arms control ceased to be something that resonated in US politics sometime in the late 1990s, due in large part to the lack of demonstrable results but also due to the US perception that nuclear weapons are still useful for guaranteeing national security in a dangerous world. While both the United States and Russia perceive an increase in security by reducing their respective nuclear

arsenals, as evidenced by progress in that area, they do not yet perceive that full nuclear disarmament would represent an increase in their security. The P-5 states must be convinced of this; otherwise their crucial support will be missing and the regimes will falter.

In short, nuclear disarmament is a concept in complete disconnect with US domestic political realities. The new Moscow Treaty negotiated by the current Bush administration is representative of a shift in the arms control field toward vague, unverifiable arms control measures, demonstrating a lack of new thinking in the field. According to this group, there must be a “new pragmatism” about the issues to be tackled. For now, incremental nuclear reductions are the only possibility, and nonproliferation goals must continue to be met in the absence of more committed disarmament steps by the P-5.

However, this was strongly countered by a group who emphasized the insecurities felt by developing countries within the evolving post-9/11 framework. First, according to this viewpoint, full disarmament *could* be a political reality precisely because the United States possesses such overwhelming conventional military capabilities that nuclear weapons should not factor so importantly in US strategic and tactical thinking. At this point in history, which is defined by US hyperpower and far superior conventional forces, greater practical steps could be made toward full nuclear disarmament without endangering US national security.

Second, Western rhetoric and policy actions focus all too often on rogue states and cheaters, but not on the legal nuclear states who appear to view their position as permanent. Many felt that this situation is as threatening and destabilizing as countries remaining outside the regime and voiced serious concern about the “surprising

complacency” toward the continued possession of nuclear weapons by the P-5. In this group’s view, real vulnerability and insecurity are created by the continued unwillingness of the P-5, especially the United States, to sign a verifiable agreement on negative security assurances that would effectively preclude nuclear threats and nuclear attacks against weaker nonnuclear states.

In short, many participants who supported the current NPT regime structure pointed out that the risk of failure applies not only to the field of nonproliferation but also to disarmament. This grouping of analysts warned that the failure of the P-5 states “to hold up their end of the bargain” in regard to Article VI of the treaty is a major factor eroding the NPT’s legitimacy from within. Countries that joined the NPT after its indefinite extension in 1995 felt a tangible increase in their security because they believed that current nuclear states would gradually disarm, while no new nuclear states would emerge. Now, in light of the creation of additional nuclear weapons states (India and Pakistan) and the US rejection of the CTBT, they feel like they have been duped and are less secure within the NPT framework. According to this argument, the NPT was a “package deal,” and until all the rules apply, including the obligations undertaken in Article VI and the preamble of the NPT, the world will continue to see countries such as North Korea breaking the rules. This package deal also includes the NPT “Principles and Objectives,” which were the legal and moral basis for indefinite extension of the NPT in 1995 and which call for further progress toward nuclear disarmament.

For instance, one analyst noted that South Africa relinquished its nuclear weapons in 1990 and joined the NPT in 1991 because of the perception, at the time, that joining the nuclear regime provided more for its security than did

weapons possession, being particularly comforted by the treaty clause that states nuclear weapon states will not use these weapons against nonnuclear weapon states. This understanding led to the African Nuclear Weapons Free Zone. Another participant offered the example of Argentina, which entered the NPT because of the belief that doing so enhanced concrete, tangible national interests that would open the road to international cooperation and greater economic and security dividends.

In sum: many participants stressed that a lack of concrete progress toward full disarmament by the nuclear powers—and the elevation of nuclear weapons to a doctrinal role in war-fighting situations by the United States—demonstrates a double standard to nonnuclear states and acts as a disincentive to remain nonnuclear. While US analysts tended to argue for a renewed “pragmatic” focus on nonproliferation goals, along with the indefinite shelving of current and future disarmament initiatives, other analysts and officials countered that a “pragmatic” strategy must incorporate the very real viewpoints and threat perceptions of all states in the international system—not just the Great Powers. While US *national* politics currently denigrates the goal of nuclear disarmament, the reality of *international* politics is that the developing world will not let this issue fade into the background.

Recommendation No. 3

In choosing a global strategy for preventing the buildup of WMD arsenals and eliminating those arsenals that already exist, it is unrealistic and utopian to completely embrace one extreme or the other: counterproliferation and preemptive action versus pure cooperative multilateralism at the global level.

During the course of the discussion, participants mentioned or identified the following

aspects of the US-led counterproliferation approach to WMD threats and of the Bush Doctrine in which it is embodied:

- A resolve not to wait and allow threats to identify themselves, but rather to proactively identify proliferation threats that pose a direct threat to US interests and national security.
- A resolve to act to neutralize identified threats with preemptive strikes of military force if necessary.
- A resolve to act on proliferation threats unilaterally if required to defend US interests and national security.
- A resolve to keep all options open regarding the destruction of an enemy’s WMD capabilities, including the use and development of new nuclear weapons for this purpose, leaving the options open for first use of nuclear weapons and the use of nuclear weapons against nonnuclear weapons states.
- An increased reliance on the normative principle of anticipatory self-defense, with September 11 changing the way threats are analyzed.

A few American participants argued that more states should be encouraged to join the United States in using counterproliferation to plug holes in the regimes. In their view, preventive war is not in America’s strategic culture. Nonetheless, the United States previously considered preemptive strikes and preventive war as one of many options, or as a corollary to another policy. What is new is not the consideration of unilateral military options but their elevation as a primary component of security doctrine. In this regard, it has been the failure of the UN Security Council to uphold binding

disarmament and nonproliferation resolutions on Iraq and North Korea that have made unilateral counterproliferation methods necessary.

Given this new reality, the challenge is not only to buttress the nonproliferation regime but also to offer a realistic alternative to US unilateralism as a method of policing the WMD peace. In the absence of a politically, economically, and militarily feasible alternative to US power projection (including the supplanting of the United States by another global power), the world will have to embrace the new US role. Either way, unilateral intervention must continue to be an optional tool against WMD proliferation. If no one state or group of states steps up, the world is ceding the issue of US unilateralism.

However, the debate was not neatly divided between those opposing a strong US leadership role and those supporting US unilateralism. A non-American participant answered that the United States is an indispensable element in creating and implementing the existing nonproliferation and arms control regimes with its strong support and vigorous action. The United States is a *sine qua non*; the international community should not work against the United States, but should instead seek to reengage Americans and work with the current administration.

Several other participants similarly sympathized with America's role as the world's policeman. They admitted a desire for the United States to work legitimately with the rest of the world, which is matched by the rest of the world's desire for the United States to work with them. A number of participants, in fact, agreed that a more active way of dealing with proliferation threats in today's world is required. But many also expressed the belief that any active counterproliferation should be led by the United Nations and that military

force should be dealt with collectively. In short, it is imperative that any counterproliferation effort be a multilateral one.

Recommendation No. 4

Counterproliferation should not be used as a security strategy in and of itself, nor should it be seen as a direct competitor of traditional nonproliferation efforts.

A majority of participants believed that the legitimacy of counterproliferation efforts (including interdiction of WMD-related shipments) depends crucially on their political, diplomatic, legal, operational, and moral connections to existing multilateral treaties and associated agreements. In order for counterproliferation methods to play a beneficial role in supporting larger nonproliferation norms, military capabilities and actions should be based not only on a US *national security strategy* but also a strong *international security component* that fulfills both US national security goals and global security concerns.

Overall, there was a feeling that states should be pragmatic in their approach to both nonproliferation and counterproliferation. The goal should be to acquire and maintain a "full tool kit" that can be applied to a variety of very different political and military situations; sometimes this tool kit will include bilateral pressure and even military options. Both must be used, as the circumstances require. In this regard, ironically, those participants who were strong advocates for multilateralism were also those most strongly favoring direct *bilateral* discussions between the United States and North Korea—a fact that some found both disturbing and hypocritical. However, most participants believed that the North Korea situation simply illuminates a basic political and military reality: the actions of the United States, including US

bilateral pressures throughout the last 30 years, have been essential in backing up globally based forms of multilateralism. Cooperative multilateralism cannot exist in a vacuum created by the absence of US bilateral actions to support global norms. This underscored the historical (and continuing) role of US power.

Recommendation No. 5

Any strategy for reform of existing regimes must put greater emphasis on preventive actions to address the demand side of the proliferation equation.

Problems With a Pure Supply-Side Approach.

Overall, there was a consensus that nonnuclear and developing countries have very real security and economic concerns, and these concerns must be increasingly addressed by the WMD regimes if they are to grow stronger and remain relevant to global security in the 21st century. Many participants felt that the developed nations have focused too much on restricting supply and not enough on addressing the increasing demand for illicit weaponry. Much of the problem that we ascribe to nonproliferation efforts is a lack of diplomatic follow-up to supply-side efforts, the latter of which should be seen as buying time to address the demand side of the proliferation equation. There is a tendency to look at supply-side nonproliferation policies in isolation rather than asking the questions, “What sort of world would preclude the need for WMD? And how do we create that world?”

Furthermore, there are vexing political and technical problems with multilateral and bilateral export controls. Several participants noted that the supplier regimes face the difficulties of remaining abreast of new technological developments and new ways exporters devise to circumvent the rules. For example, one participant

noted that current US export controls (supply-side controls) contain a large number of absurdities, including denying the sale of a 1000 MHz oscilloscope, while allowing the sale of one rated at 999 MHz. Export controls are beset by serious questions about the efficacy of controls once they are established, and also about what items constitute “critical technologies” requiring oversight. Others believed that the crux of the problem is not with procedures, but rather that there is a fundamental political disagreement between states about what is dangerous or transferable.

Categorizing the Demand for WMD. The roundtable was asked to consider and analyze the factors determining WMD demand or, conversely, the willingness to reduce, eliminate, and forgo WMD capabilities. While some analysts defined “demand” strictly in terms of those nonnuclear states seeking to gain a working arsenal (i.e., in terms of proliferation beyond the P-5), a smaller number insisted on including the P-5’s determination to retain their arsenals as a form of “WMD demand.” Three categories of nations were identified: those who never want the weapons, those who want to break out of their commitments not to develop the weapons, and those who possess the weapons but wish to stymie the spread of WMD to other states.

Most participants agreed that a state’s decision to reduce, eliminate, or forgo WMD capabilities is determined through a calculation of the relative economic and security trade-offs of doing so. The following strategic and economic incentives were identified as central to nuclear weapons acquisition:

- States seek WMD to use them (or *threaten* to use them), viewing the weapons as useful war-fighting tools (examples: Iraq, chemical and biological weapons, and the United States

potentially developing “bunker busters” and “agent defeat” nuclear weapons).

- States seek WMD for defense or deterrence against conventional or nuclear attack (examples: Pakistan, India, Israel, Iraq, and North Korea in the nuclear realm; North Korea, Egypt, Syria, and probably Israel in the chemical or biological realms).
- States seek WMD for prestige and Great Power status (primary example: India).
- States seek WMD for economic reasons, either as a “cash crop” for sale to other entities or to be “bought out” through economic aid and financial concessions (primary example: North Korea).

Although some countries fit one set of incentives better than others, no country was identified as a “pure” case based upon one incentive alone. For example, Ukraine relinquished its nuclear weapons as a result of both economic and security guarantees promised by the United States.

However, *defensive security rationales* were identified as the one factor most strongly and consistently driving states down the WMD path, in part because geopolitical threats transcend the preferences of any given leader or domestic regime. Despite the strong normative arguments against WMD acquisition, threatened states will not be convinced to give up their pursuit of these weapons unless the international community can prove its security situation will become safer and more predictable in doing so.

Regional conflict and instability are major factors in determining whether a state seeks or revokes WMD. The global regimes benefited

from the structure of the international system during the Cold War—in particular, the superpower balance, the allied security umbrellas at the regional levels, and the caution induced by the ever-present fear that escalation of regional conflicts could cause a global war. With the structural stability of the Cold War gone, states such as India and Pakistan felt the need to become self-reliant in regional security affairs.

To create a new kind of structural stability, states should do more to help alleviate the economic and security problems of conflictual regions. This goal could be accomplished through more credible negative security assurances toward nonnuclear states (perhaps through a new treaty), improved regional and collective security arrangements, and confidence-building measures (CBMs). Other preventive efforts include foreign aid programs and conflict mediation.

One participant noted that the preventive solutions or tools used for nonproliferation and disarmament fall into two categories: universal or case-specific. Universal tools are applicable regardless of the reason a state seeks to acquire WMD and includes export controls, containment, and counterproliferation (which can take the form of preventive military intervention). Case-specific solutions depend on the exact reasons a state seeks to acquire WMD. These may include addressing regional security relations if a deterrence doctrine is involved, stigmatizing possession of WMD if prestige is involved, and invoking sanctions to dissolve any benefits of acquisition if an economic calculation is involved. For instance, a couple participants suggested that, at least in the North Korea case, buying out the program might be the best solution (and a cheaper alternative to a national missile defense). However, others noted that this route might set a bad

precedent for others to squeeze out economic concessions by pursuing WMD.

Do US Nuclear Weapons Policies Fuel WMD Demand? Several participants suggested the current situation in North Korea is related to the United States' labeling of North Korea as part of the "axis of evil"; the issuance of highly charged, derogatory remarks by President Bush toward Kim Jong Il; and the United States' new pre-emptive strike policy released in December 2002 as part of the overall Bush National Security Strategy. Furthermore, the deployment of US nuclear weapons on the Korean peninsula until 1991 probably played a role in North Korea's original quest for plutonium-based nuclear weapons. More recently, North Korea's demand for a bilateral US-DPRK nonaggression pact could be seen as an indication that the DPRK is motivated primarily by security concerns. Along these lines, one participant asked, "Since the United States has already declared it is not going to attack North Korea, why not make a nonaggression pact the basis for bilateral talks?"

However, one US analyst argued that the DPRK is *not* an example of a state going nuclear in the face of an increased US threat since it began its pursuit of nuclear weapons long before the current US administration implemented its doctrine of preemption. Instead, the current North Korea case is an example of a typical mercantile state seeking economic dividends. According to this viewpoint, mercantile considerations are actually a much graver security threat, because a WMD state pursuing commercial gain is far more likely to sell the weapons to any interested bidder—including potential transnational terror groups. If North Korea were principally pursuing weapons for defensive, statist, security-related reasons, the threat to the United States would actually be much less.

Regime Change and Democratization: The Only Reliable Method of Addressing WMD Demand? Several participants discussed the role of regime change in the US counterproliferation strategy, as well as the role played by purely domestic political transformations in recent cases of *voluntary nuclear disarmament* during the 1990s. In particular, the examples of Brazil, South Africa, Argentina, and several former Soviet states seemed to show that the most conclusive, verifiable, and reliable cases of nuclear renunciation in the post-Cold War world have been due to the political liberalization of once-authoritarian regimes. This raised questions about the most effective and realistic approach toward current "hard cases" such as North Korea and Iran. Specifically, should the international community depend upon diplomatic and economic engagement of both countries—alongside the verification capabilities of global regimes—to ensure that neither country is pursuing weaponry and prevent further steps in this direction? Or should the strategy instead be one of political, economic, and military isolation, geared toward the ultimate goal of regime change and domestic political liberalization of both polities?

Those participants most skeptical of the IAEA safeguards system and the UN Security Council's ability to enforce treaty mandates argued in favor of a new counterproliferation approach based on the goal of regime change and political liberalization. However, other analysts pointed to the examples of India and Israel, both healthy democracies who have successfully pursued a fully functional and highly advanced nuclear and missile arsenal outside the bounds of the NPT framework. These two examples demonstrate that most states' demands for WMD are related to real defensive concerns, in which case the deposing of one leader would probably still result in the state

seeking weapons to address its security deficiencies. In short, if a state's pursuit of WMD and missiles is intimately tied to its *geopolitical situation* as well as its current leadership, then radical political liberalization is unlikely to alter those regional factors pushing a state toward the WMD option.

The Continuing Role for Supply-Side Efforts.

Despite the hard realities of WMD demand dynamics, many believed it would be fatalistic to completely ignore the supply-side of the policy equation. First, there have been no truly indigenous ballistic missile programs on earth; all of them, including US and Soviet efforts, were based on the work of German scientists after World War II. Ballistic missile programs in developing countries were in turn simply derivatives of US and Soviet technology gleaned through direct military trade and indirect filtration of dual-use technologies in the global economy. Second, all nuclear programs derive from the Manhattan Project and information collected through espionage and declassification. This fact suggests that effective supply-side controls could still significantly reduce proliferation risks.

Furthermore, the demand-side factors can only be reliably addressed for nation-states, not most terror groups interested in WMD. The ideologies of transnational terror groups such as Al Qaeda do not lend themselves to negotiation and compromise; these groups' political and social demands can only be addressed through destruction of the existing global order. Their concern is not with security, but rather creating rampant insecurity for others. Therefore, the approach to nonstate actors must be supply-side, involving greater *material security and safeguards*—which in turn requires that more funds be devoted to this task by concerned countries.

To strengthen multilateral export control arrangements, one participant suggested that a centralized international agency might be created to address rapid technological changes and act as an intelligence clearinghouse on suspect end users and front companies. Another suggestion was for the application of traditional challenge inspections by treaty intergovernmental organizations to cases of sensitive bilateral trade deals. Challenge inspections might be utilized for end-user certification as part of the licensing process between a supplier and receiver state.

Finally, the United States and other capable countries could step up their efforts to help countries establish draft national legislation, receive requisite technology, strengthen customs services, and improve information-sharing between countries. This approach has the side benefit of building national bureaucracies that are committed to nonproliferation with the *raison d'être* of stopping the spread of WMD.

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